

## Legislative Link Update

### May 26, 2016

This past Thursday, May 19 was the deadline for Governor Ducey to take action on all the bills that had been sent to his office. Of the over 1,200 bills that were introduced, 388 were passed by both chambers of the Legislature and sent to the Governor. Governor Ducey signed 374 of those bills and vetoed 14. All of the bills that were signed will become law on the general effective date of August 6, 2016 unless the legislation specifies another date. Of the bills on our tracking list 72 were signed into law and 2 were vetoed. The following report shows the final disposition of all the bills on our tracking list. Those bills that were signed have been highlighted in **green** and those that were vetoed are highlighted in **red**.

Glendale's Intergovernmental Programs staff will now spend the next several weeks putting together our annual End of Session Report which will provide a comprehensive overview of the bills that we were tracking for the session. That report will be posted on our website at <http://www.glendaleaz.com/intergovernmental/index.cfm> when it becomes available.

Thank you again for your participation in Glendale's Legislative Link Program.

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Arizona State Legislature Website: [www.azleg.gov](http://www.azleg.gov)  
To determine who your state legislators are, [click here](#)

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You can also visit the Intergovernmental Programs Department's webpage for additional information by [clicking here](#)

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#### **H2001: UNLAWFUL DISTRIBUTION OF PRIVATE IMAGES**

It is a class 5 (second lowest) felony to intentionally "disclose" (defined) an "image" (defined as a photograph, videotape, film or digital recording) of another person who is identifiable from the image itself or from information displayed in connection with the image if the person in the image is depicted in a state of nudity or is engaged in specific sexual activities, the depicted person has a reasonable expectation of privacy, and the image is disclosed with intent to harm, harass, intimidate, threaten or coerce the depicted person. If the image is "disclosed by electronic means" (defined), the classification is increased to a class 4 (mid-level) felony. Does not apply to any disclosure that is made with the consent of the person who is depicted in the image. A person who threatens to disclose but who does not disclose an image that if disclosed would be a violation of these provisions is guilty of a class 1 (highest) misdemeanor. It is no longer a class 5 (second lowest) felony

to disclose an image of another person in a state of nudity or engaged in specific sexual activities without that person's consent if the person is not recognizable. A prosecution commenced before the effective date that charges a violation of this statute may only proceed if the alleged conduct constitutes prohibited conduct under these changes. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Mesnard

H2001:UNLAWFUL DISTRIBUTION OF PRIVATE IMAGES 3/11 signed by governor. Chap. 6, Laws 2016.

## **H2006: MARIJUANA; REGULATION; TAXATION**

A person who is at least 21 years of age may possess, consume, use, display, purchase or transport one ounce or less of marijuana, may grow up to five marijuana plants and may possess, process or transport the marijuana produced by the plants on the premises where the plants were grown. Some restrictions. It is unlawful to smoke marijuana in a public place. Establishes regulations for marijuana accessories and retail marijuana stores. Establishes an excise tax on the sale or transfer of marijuana at the rate of \$50 per ounce. Revenues generated by the tax must be used to enforce these regulations, and any remaining monies are distributed as follows: 30 percent to the Department of Education, 20 percent to the Department of Health Services for specified drug programs, and 50 percent to the general fund. The Department of Health Services is required to adopt rules necessary for implementation. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Rep. Cardenas

H2006:MARIJUANA; REGULATION; TAXATION 1/21 referred to House jud, ways-means.

## **H2007: MARIJUANA; SENTENCE; CIVIL PENALTY; FINES**

Reduces the criminal classification for possession or use of marijuana with a specified weight as follows: less than one ounce is subject to a civil penalty of up to \$100, from a class 6 (lowest) felony; at least one ounce but less than two pounds is reduced to a petty offense, from a class 6 felony; two pounds or more to a class 3 (mid-level) misdemeanor, from either a class 4 or 5 felony. Reduces the criminal classification for importing, transporting for sale or selling marijuana with a specified weight as follows: less than two pounds to a class 3 misdemeanor, from a class 5 (second-lowest) felony; at least two pounds but less than four pounds to a class 6 felony, from a class 4 felony; more than four pounds to a class 5 felony, from a class 3 felony. The court must order a juvenile who is adjudicated delinquent for a first violation of these marijuana related violations to complete at least 10 hours of community restitution in lieu of other penalties. If the community restitution is not complete within one year, the juvenile is subject to all other penalties prescribed by law.

First sponsor: Rep. Cardenas

H2007:MARIJUANA; SENTENCE; CIVIL PENALTY; FINES 2/1 referred to House jud, hel.

## **H2008: EXTRACURRICULAR ACTIVITY CREDIT; OPTIONAL FEES**

For the purpose of the income tax credit for contributions to public schools, the definition of "extracurricular activities" is modified to include any optional, noncredit, educational or recreational activity that supplements the education program of the

school, whether offered before, during or after regular school hours, and which may require enrolled students to pay a fee to participate. AS PASSED HOUSE.

First sponsor: Rep. Norgaard

H2008:EXTRACURRICULAR ACTIVITY CREDIT; OPTIONAL FEES 3/3 from Senate educ do pass.

#### **H2014: ELECTRONIC DOCUMENTS; STATE AGENCIES**

If a statute or rule requires a person to submit an application or any other documentation to any agency, the person is permitted to submit the documentation electronically. Agencies are required to provide a method of electronic submission of non-sensitive data on the agency's website, and are permitted to provide a method of electronic submission of sensitive data. Effective July 1, 2019. AS PASSED HOUSE.

First sponsor: Rep. Stevens

H2014:ELECTRONIC DOCUMENTS; STATE AGENCIES 2/16 referred to Senate gov.

#### **H2016: PERMANENT EARLY VOTING LIST; CANCELLATION (~~EARLY; ALL-MAIL BALLOTS; MAILING PERIOD~~)**

A voter's name is not removed from the permanent early voting list until the voter remains inactive through the date of the second general election for federal office immediately following being moved to inactive status. AS PASSED HOUSE.

First sponsor: Rep. Stevens

H2016:PERMANENT EARLY VOTING LIST; CANCELLATION 3/3 from Senate gov do pass.

#### **H2023: DELIVERY; EARLY BALLOTS; LIMITATION**

A person who knowingly collects voted or unvoted early ballots from another person is guilty of a class 6 (lowest) felony. An election official or any person who is allowed by law to transmit U.S. mail is deemed not to have collected an early ballot if the person is engaged in official duties. Does not apply to a "family member," "household member" or "caregiver" (all defined) of the voter, or to an election held by a special taxing district formed to protect or provide services to agricultural land or crops. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Ugenti-Rita

H2023:DELIVERY; EARLY BALLOTS; LIMITATION 3/9 signed by governor. Chap. 5, Laws 2016.

#### **H2026: MUNICIPAL TAX EXEMPTION; RESIDENTIAL LEASE**

Municipalities with a population of more than 100,000 persons located entirely within a county with a population of more than 500,000 persons (Maricopa and Pima) are prohibited from levying a transaction privilege or other similar tax or fee on the business of renting or leasing real property for residential purposes. A municipality or other taxing jurisdiction that levies a tax or fee on the business of renting or leasing real property for residential purposes on January 1, 2016 is prohibited from increasing the rate of the tax or fee and is required to annually reduce the rate by 25 percent of the initial rate for four consecutive years beginning on July 1, 2017 and each July 1 thereafter. Beginning July 1, 2020, municipalities and other taxing jurisdictions are required to repeal any tax or fee on the business

of renting or leasing real property for residential purposes. Retroactive to January 1, 2016.

First sponsor: Rep. Mitchell

H2026:MUNICIPAL TAX EXEMPTION; RESIDENTIAL LEASE 2/18 House COW FAILED to approve after adopting amend #4135 and a Mitchell floor amendment. Roll call: 22-36.

## **H2030: LIQUOR PREMISES; FIREARMS; RETIRED OFFICERS**

The list of persons permitted to be in possession of a firearm while on the licensed premises of an on-sale liquor retailer is expanded to include a retired peace officer or an honorably retired law enforcement officer who has been issued a certificate of firearms proficiency. Also allows the Department of Liquor Licenses and Control to issue a temporary permit of any series to a trustee in bankruptcy to acquire and dispose of the spirituous liquor of a debtor. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Borrelli

H2030:LIQUOR PREMISES; FIREARMS; RETIRED OFFICERS 5/17 signed by governor. Chap. 285, Laws 2016.

## **H2031: LIQUOR PURCHASES; OTHER STATE IDENTIFICATION**

The list of acceptable types of identification for the purpose of purchasing liquor is modified so that a form of identification license issued by another state or territory is no longer required to be reissued within 30 days after the person turns 21 years of age. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Borrelli

Others: Rep. Boyer, Rep. Fann, Rep. Shope

H2031:LIQUOR PURCHASES; OTHER STATE IDENTIFICATION 4/5 signed by governor. Chap. 91, Laws 2016.

## **H2032: SPEED LIMITS; LOCAL AUTHORITY**

A local authority is permitted to increase or decrease the reasonable and safe maximum speed limit on streets that are adjacent to or otherwise surrounding school grounds or public parks, instead of only streets adjacent to school grounds. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Borrelli

Others: Rep. Cobb, Rep. Espinoza, Rep. Finchem

H2032:SPEED LIMITS; LOCAL AUTHORITY 5/11 signed by governor. Chap. 175, Laws 2016.

## **H2034: DPS; SCHOOLS; CLEARANCE CARDS; NOTIFICATIONS**

If a person holding a fingerprint clearance card in order to be employed by or to volunteer for a school district or charter school has been arrested for or convicted of an offense listed in any fingerprint clearance card statutes, instead of only one specified section, the Department of Public Safety is required to notify the school district or charter school that the person's card has been suspended or revoked.

First sponsor: Rep. Borrelli

H2034:DPS; SCHOOLS; CLEARANCE CARDS; NOTIFICATIONS 5/5 referred to House rules only.

## **H2036: HUMAN TRAFFICKING; SIGNS; REST STOPS**

In each roadside rest area or roadside park, the Department of Transportation is required to place in a prominent location a sign that clearly states the telephone number for a national toll-free hotline for human trafficking and includes other specified information.

First sponsor: Rep. Coleman

H2036:HUMAN TRAFFICKING; SIGNS; REST STOPS 1/11 referred to House trans-inf.

## **H2045: DHS; PRIMITIVE CAMPING AREAS; RULES**

By July 1, 2017, the Department of Health Services is required to adopt rules regarding primitive camping and picnic grounds for the purposes of allowing access to hiking, camping, park and picnic area located in primitive and remote settings. The rules must include specified provisions. Self-repeals July 2, 2018.

First sponsor: Rep. Finchem

H2045:DHS; PRIMITIVE CAMPING AREAS; RULES 2/9 retained on House COW calendar.

## **H2052: MOTORCYCLE RIDERS; HELMETS; FEES**

All operators and passengers of motorcycles, all-terrain vehicles and motor driven cycles are required to wear a protective helmet at all times, instead of only those operators and passengers who are under 18 years of age. An operator or passenger who is at least 18 years of age may be exempted from the helmet requirement if the owner pays a fee in an amount determined by the Director of the Department of Transportation when registering the vehicle. Fees collected are deposited in the Highway User Revenue Fund (HURF). Violations of the helmet requirement are subject to secondary enforcement and are subject to a civil penalty of \$500. Of the civil penalty, \$200 is deposited in HURF and \$300 is deposited in the Spinal and Head Injuries Trust Fund.

First sponsor: Rep. Friesen

H2052:MOTORCYCLE RIDERS; HELMETS; FEES 5/5 referred to House rules only.

## **H2055: CLASS SIX PROPERTY; ELDERLY HOMEOWNERS**

The list of property classified as class six for property tax purposes is expanded to include real and personal property and improvements to the property that are used as the owner's primary residence, that are owned by an individual who qualifies for property valuation protection under the state Constitution (for which a person must be age 65 or older), and that are valued at full cash value. Other requirements to qualify for this classification are specified. Does not apply to real property and improvements with a full cash value of \$600,000 or more unless the property qualified for valuation protection under the state Constitution as of December 31, 2016. AS PASSED HOUSE.

First sponsor: Rep. Cardenas

H2055:CLASS SIX PROPERTY; ELDERLY HOMEOWNERS 3/1 referred to Senate fin.

## **H2056: STATEWIDE ASSESSMENTS; PARENTAL OPT-OUT**

A parent, on behalf of that parent's child, may opt out of the statewide assessments prescribed by statute. The State Board of Education is required to make available a form for parents to sign and submit to the school in order to opt their children out. If a parent opts out of the assessments, the lack of results for that child cannot be factored into the school or district achievement profile classification or the information contained on the school report card. For students who have opted out, the school district or charter school must use an alternative to determine whether a 3rd grade student's reading ability is sufficient to promote the student from the 3rd grade and to determine whether the student has satisfied that portion of the high school graduation requirements. Does not apply to the civics portion of the naturalization test required for high school graduation.

First sponsor: Rep. Ackerley

Others: Sen. S. Allen, Rep. Boyer

H2056:STATEWIDE ASSESSMENTS; PARENTAL OPT-OUT 1/20 House educ held.

## **H2057: REPEAL; JTED FUNDING REDUCTIONS**

Eliminates the reduction in base support level funding that a school district, charter school or JTED receives for students enrolled in both a school district or charter school and a joint technical education district (JTED) satellite campus program to 92.5 percent of the base support level funding that the school district, charter school or JTED would otherwise receive. The reduction would have become effective in FY2016-17. Retroactive to July 1, 2016.

First sponsor: Rep. Ackerley

Others: Rep. Barton, Rep. Borrelli, Rep. Boyer, Rep. Brophy McGee, Rep. Campbell, Rep. Cobb, Rep. Coleman, Rep. Fann, Rep. Finchem, Rep. Gray, Rep. Lawrence, Rep. McCune Davis, Rep. Mesnard, Rep. Mitchell, Rep. Norgaard, Rep. Pratt, Rep. Shope, Rep. Townsend

H2057:REPEAL; JTED FUNDING REDUCTIONS 5/5 referred to House rules only.

## **H2060: CHILDREN; OUT-OF-HOME-CARE; TRANSPORTATION**

The Department of Child Safety, a child welfare agency or a group foster home is prohibited from transporting a child who is under 12 years of age or a child who is noncommunicative in a taxi, unless the child is accompanied by an adult other than the taxi driver.

First sponsor: Rep. Townsend

Others: Rep. J. Allen, Rep. Finchem, Rep. Shope

H2060:CHILDREN; OUT-OF-HOME-CARE; TRANSPORTATION 1/12 referred to House child-fam.

## **H2061: MEDICAL MARIJUANA; PREGNANCY; SIGNAGE (MEDICAL MARIJUANA; PREGNANCY EXCLUSION)**

The Department of Health Services is required to adopt rules that require each nonprofit medical marijuana dispensary to display in a conspicuous location a sign that warns pregnant women about the potential dangers to fetuses caused by smoking or ingesting marijuana while pregnant or to infants while breastfeeding and the risk of being reported to the Department of Child Safety during pregnancy or at the birth of the child by persons who are required to report. The rules must also require each certifying physician to attest that the physician has provided

information to each qualifying female patient that warns about these dangers and risks. The Dept is also required to post this information prominently on its public website. The list of information that must be included on a marijuana registry identification card is expanded to include a warning to pregnant women about these dangers and risks. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Townsend

Others: Rep. J. Allen, Sen. Barto, Rep. Boyer, Rep. Brophy McGee, Rep. Campbell, Sen. D. Farnsworth, Rep. Finchem, Rep. Lovas, Rep. Olson

H2061:MEDICAL MARIJUANA; PREGNANCY; SIGNAGE 4/5 signed by governor. Chap. 92, Laws 2016.

## **H2065: SCHOOLS; VISION SCREENING PROGRAM**

Establishes a Department of Health Services program of vision screening evaluation services, which must be administered to all children as early as practicable and not later than the first year of attendance in any public or private education program. Visual acuity and stereopsis screening must be conducted annually through the fourth grade, and each child must receive a one-time evaluation of color deficiency. Visual acuity screening must be conducted every other year until the child reaches 16 years of age or is no longer enrolled in a public or private education program. The parents of a student that fails a screening must be advised to have the student receive a comprehensive eye exam. By December 31, 2016, the Dept is required to select one or more vision screening nonprofit organizations in Arizona to provide vision screening evaluations and data management. All data collected relating to vision screening evaluation services is the property of the Dept. The program terminates on July 1, 2026. AS PASSED HOUSE.

First sponsor: Rep. Lawrence

H2065:SCHOOLS; VISION SCREENING PROGRAM 3/7 referred to Senate hel-hu ser, educ, appro.

## **H2066: SCHOOLS; DAILY PHYSICAL ACTIVITY; POLICY**

School boards and charter school governing bodies that provide instruction to students in kindergarten and grades one through five are required to conduct a public meeting to consider adopting a policy to require students in kindergarten and grades one through five to engage in daily organized physical activity. The school district or charter school is required to notify each parent of an enrolled child of the public meeting and allow parents to comment on the proposed policy at that meeting. If a daily physical activity policy is adopted, specified requirements must be included in the policy.

First sponsor: Rep. Lawrence

H2066:SCHOOLS; DAILY PHYSICAL ACTIVITY; POLICY 1/13 referred to House educ.

## **H2088: SCHOOLS; ASSESSMENTS; SURVEYS; INFORMED CONSENT**

School districts and charter schools are required to obtain written informed consent from the parent of a student before administering to any student any survey that is retained by a school district, charter school or the Department of Education for longer than one year and that solicits personal information about the student regarding a list of specified factors, including financial information, religious information, sexual behavior and voting history. Some exceptions. School districts and charter schools are required to obtain the consent at the beginning of every

school year to participate in any survey for the entire year. A parent may revoke the consent at any time. For any student who is at least 18 years of age, the consent is required only from the student. All surveys conducted must be approved and authorized by the school district or charter school, and the district or school is subject to established penalties for violations. A penalty cannot be imposed on a student who does not participate in any survey, and participation cannot be required for a student to qualify for placement, be promoted, receive credit or graduate from high school. Responses to any survey cannot be included as part of a school academic performance indicator or any similar school rating system, in the education learning and accountability system, in the student accountability information system or in any school, administrator or teacher rating system. A parent of a student that has a reasonable belief that a school district or charter school has violated these requirements is permitted to file a complaint with the Attorney General or the county attorney for the county in which the violation occurred, and that attorney may initiate a suite in the superior court. For each violation, the court is authorized to impose a civil penalty of up to \$500. Additionally, student level "nontest" (defined) data is prohibited from inclusion in longitudinal, student level data unless approved in a public meeting of the State Board of Education and linked on the Board's home page. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Finchem

Others: Rep. Leach, Rep. Mitchell, Rep. Norgaard, Rep. Rivero

H2088:SCHOOLS; ASSESSMENTS; SURVEYS; INFORMED CONSENT 5/18 signed by governor. Chap. no. awaited.

## **H2089: MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION**

A person who, in good faith, seeks medical assistance for someone experiencing a drug related overdose and a person who experiences a drug related overdose and is in need of medical assistance cannot be charged or prosecuted for the possession or use of a controlled substance or drug paraphernalia if the evidence for the violation was gained as a result of seeking medical assistance.

First sponsor: Rep. Frieze

H2089:MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION 1/26 referred to House jud.

## **H2090: MARRIAGE QUALIFICATIONS**

The list of prohibited marriages is modified to remove the prohibition on marriage between persons of the same sex and to prohibit marriage between any siblings, between uncles and nephews, and between aunts and nieces. Conditionally enacted on the voters removing the state constitutional prohibition on same sex marriage at the 2016 general election.

First sponsor: Rep. Frieze

H2090:MARRIAGE QUALIFICATIONS 5/5 referred to House rules only.

## **H2091: FIREARM SALES; TRANSFERS; BACKGROUND CHECKS**

If neither party to a prospective firearms sale or transfer is a licensed firearms dealer, the parties must complete the transaction through a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to



the seller. If the dealer cannot legally return the weapon to the seller, the dealer must deliver the weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony.

First sponsor: Rep. Frieze

H2091:FIREARM SALES; TRANSFERS; BACKGROUND CHECKS 5/5 referred to House rules only.

## **H2094: BALLOTS; DEFECTS; NOTICE AND CURE**

The county recorder or officer in charge of elections is required to provide for a method of notifying an early ballot voter or provisional ballot voter if there is a defect in the voter's ballot materials that will result in the rejection of the voter's ballot and allow the voter to attempt to cure the defect by 7:00 PM on election day. The county recorder or officer in charge of elections is required to tabulate the ballot as otherwise provided by law and to further notify the voter whether the ballot was verified and counted.

First sponsor: Rep. Clark

Others: Rep. Andrade, Rep. Bolding, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Mendez, Sen. Quezada, Rep. Rios, Rep. Steele, Rep. Velasquez

H2094:BALLOTS; DEFECTS; NOTICE AND CURE 3/2 House COW approved with amend #4260.

## **H2097: AUTOMATIC REGISTRATION; LICENSES; IDS**

Beginning January 1, 2017, every person who is applying for a driver license or renewal, including a nonoperating identification license or renewal, and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register.

First sponsor: Rep. Clark

Others: Rep. Andrade, Rep. Fernandez, Rep. Gabaldon, Rep. Mendez, Sen. Quezada, Rep. Rios

H2097:AUTOMATIC REGISTRATION; LICENSES; IDS 1/26 referred to House elect, trans-inf.

## **H2099: DEVELOPMENTAL DISABILITIES; TERMINOLOGY; SETTINGS**

A residential family homes that is responsible for the supervision and care of a child or children with a developmental disability is renamed a "child development home" instead of a "child development foster home" and the responsible party or licenses is referred to as the "developmental home provider" instead of the foster parent. Statutes establishing regulations for "secure facilities" and related references are deleted. For the purpose of statutes regulating health care institutions, a "community residential setting" (defined) is excluded from the definition of "health care institution." A regular foster home is required to apply for certification as a child developmental certified home if the Department of Child Safety (DCS) has placed a foster child with a developmental disability in the foster home or if the Department of Economic Security (DES) has determined that a foster child in the foster home has a developmental disability. Does not apply to a regular foster home or group foster home with a foster child with a developmental disability who was placed in the home before the effective date of this legislation. DES is authorized to certify a licensed foster home as a child developmental certified home. DCS is prohibited from placing any additional foster child in the home after certification unless DES recertifies the home for the new placement. The maximum number of foster children who may be placed in a child developmental certified home is five,

with no more than three children with developmental disabilities. Establishes requirements for inspections and monitoring of child developmental certified homes, and factors that DES must consider when determining whether to grant a certification. A certification expires annually and is subject to renewal by DES. AS SIGNED BY GOVERNOR.

First sponsor: Rep. J. Allen

H2099:DEVELOPMENTAL DISABILITIES; TERMINOLOGY; SETTINGS 5/17 signed by governor. Chap. 286, Laws 2016.

### **H2103: DOMESTIC VIOLENCE SERVICE PROVIDERS (TECH CORRECTION; CONTACT WITH RELATIVES)**

Statute relating to domestic violence shelters is modified to instead apply to "domestic violence service providers," defined as a facility whose primary purpose is to provide services to family or household members who are victims of domestic violence, including shelter, victim advocacy, and other support services. Domestic violence service providers are eligible to receive monies from the renamed Domestic Violence Services Fund, formerly the Domestic Violence Shelter Fund, and other eligibility requirements are modified. AS SIGNED BY GOVERNOR.

First sponsor: Rep. J. Allen

H2103:DOMESTIC VIOLENCE SERVICE PROVIDERS 4/5 signed by governor. Chap. 94, Laws 2016.

### **H2105: VETERANS WITH DISABILITIES; BENEFITS**

The Game and Fish Commission is authorized to issue a complimentary license to a veteran of the U.S. armed forces who has been an Arizona resident for at least one year and who is receiving compensation from the U.S. government for permanent service-connected disabilities rated as at least 25 percent disabling, instead of 100 percent disabling. A veteran certified by the U.S. Department of Veterans Affairs as having at least a 25 percent disability, instead of 100 percent, is exempt from vehicle license taxes and registration fees for a personally owned vehicle. The Arizona State Parks Board is required to issue at no charge a parks pass that grants park entrance to all Arizona state parks and to waive camping and overnight parking fees for up to 10 days per month for a veteran with a service-connected disability of at least 25 percent.

First sponsor: Rep. Lovas

H2105:VETERANS WITH DISABILITIES; BENEFITS 2/4 House mil-pub FAILED 3-5

### **H2106: HOAS; ENFORCEMENT GRACE PERIOD**

A homeowners' association or condominium association member has 21 calendar days, increased from 10 business days, after the date of a written notice of violation to provide a written response to the HOA. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Lovas

H2106:HOAS; ENFORCEMENT GRACE PERIOD 5/12 signed by governor. Chap. 230, Laws 2016.

### **H2107: STRUCTURED SOBER LIVING HOMES (SUBSTANCE ABUSE RECOVERY HOMES)**

Municipalities and counties are authorized to adopt by ordinance standards for "structured sober living homes" (defined) that comply with state and federal fair

housing laws and the Americans with Disabilities Act. If adopted, the standards may include a list of specified provisions, including supervision requirements and the establishment and maintenance of an operation plan. Municipalities and counties that adopt standards for structured sober living homes are authorized to exclude from regulation any structured sober living home that is subject to adequate oversight by another governmental entity or contractor. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Campbell

Others: Rep. Ackerley, Rep. Borrelli, Rep. Leach, Rep. Townsend

H2107:STRUCTURED SOBER LIVING HOMES 5/17 signed by governor. Chap. 287, Laws 2016.

## **H2108: SCHOOLS; CPR INSTRUCTION**

By July 1, 2019, school districts and charter schools are required to provide CPR training for students during high school, instead of being permitted to provide it for each student in grades 7-12. Requirements for CPR training in schools are modified. School districts and charter schools are authorized to use emergency medical technicians, paramedics, police officers and any other similarly qualified persons to provide CPR training. The individual income tax credit for contributions to public schools may be used for contributions for the support of CPR training.

First sponsor: Rep. Coleman

Others: Rep. Borrelli, Rep. Brophy McGee, Rep. Carter, Rep. Cobb, Sen. Dial, Rep. Lawrence, Sen. McGuire, Rep. Mesnard, Rep. Meyer

H2108:SCHOOLS; CPR INSTRUCTION 2/16 referred to Senate educ, appro, hel-hu ser.

## **H2110: NATIVE AMERICAN DAY; LEGAL HOLIDAY**

Adds the first Friday in October, "Native American Day" to the list of legal holidays in Arizona.

First sponsor: Rep. Steele

Others: Rep. Alston, Rep. Andrade, Sen. Begay, Rep. Benally, Rep. Bolding, Sen. Bradley, Rep. Cardenas, Rep. Clark, Sen. Dalessandro, Rep. Espinoza, Sen. Farley, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Sen. Hobbs, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Sen. McGuire, Rep. Meyer, Sen. Miranda, Rep. Otondo, Sen. Pancrazi, Sen. Quezada, Rep. Rios, Rep. Velasquez, Rep. Wheeler

H2110:NATIVE AMERICAN DAY; LEGAL HOLIDAY 5/5 referred to House rules only.

## **H2122: TECH CORRECTION; TECHNICAL REGISTRATION BOARD**

Minor change in Title 32 (Professions and Occupations) related to the Board of Technical Registration. Apparent striker bus.

First sponsor: Rep. Mesnard

H2122:TECH CORRECTION; TECHNICAL REGISTRATION BOARD 2/10 from House trans-inf with amend #4158.

## **H2127: LIVE DOG RACING; PROHIBITION (SMALL PROPERTY TAX BALANCE DELINQUENCY)**

Live dog racing is prohibited from being conducted in Arizona after December 31, 2016. Does not apply to nonprofit organizations that host lure coursing or similar events that test a dog's ability, stamina and breeding or training for such events. A commercial dog racing permittee that is authorized to conduct live dog racing on the effective date of this legislation is permitted to continue to conduct live dog racing

through December 31, 2016. Does not prevent a commercial dog racing permittee that lawfully conducted live dog racing in Arizona in 2016 from using hardship tax credits that were lawfully earned before January 1, 2017 to reduce pari-mutuel taxes after the effective date of this legislation. Beginning January 1, 2017, any agreement concerning simulcasting that is executed between a racing permittee that conducted live dog racing in 2016 and a racing facility that is located in a county with a population of more than 3 million persons (Maricopa County) is required to provide that 20 percent of the commission fee paid to the racing permittee under that agreement be distributed to the recognized horsemen's association that represents horsemen participating in race meets in Arizona. Directs legislative council staff to prepare conforming legislation. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Mesnard

H2127:LIVE DOG RACING; PROHIBITION 5/13 signed by governor. Chap. 246, Laws 2016.

## **H2151: TAX CREDIT; TEACHERS' SCHOOL SUPPLIES**

For tax years beginning with 2016, an individual income tax credit of up to \$200 per teacher is established for expenses incurred by a "qualified school teacher" (defined as a teacher in kindergarten or grades 1 through 12) for educational supplies and materials purchased by the teacher and used in the teacher's classroom. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Retroactive to January 1, 2016. AS PASSED HOUSE.

First sponsor: Rep. Weninger

Others: Rep. Ackerley, Rep. Bolding, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Rep. Brophy McGee, Rep. Campbell, Rep. Carter, Rep. Cobb, Sen. Dial, Rep. Espinoza, Rep. Fann, Rep. Livingston, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Shope

H2151:TAX CREDIT; TEACHERS' SCHOOL SUPPLIES 3/3 referred to Senate educ, fin, appro.

## **H2177: PAID SICK AND SAFE TIME**

Effective January 1, 2017, employees who work in Arizona accrue a minimum of one hour of paid sick and safe time for every 30 hours worked. Situations where an employee may use paid sick and safe time are specified, as well as provisions governing accrual, carry over, and transfer of paid sick and safe time.

First sponsor: Rep. Andrade

Others: Rep. Alston, Rep. Benally, Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Rep. Mendez, Sen. Quezada, Rep. Rios, Rep. Saldate, Rep. Steele, Rep. Velasquez

H2177:PAID SICK AND SAFE TIME 1/25 referred to House com.

## **H2178: AZ SILVER-HAIRED LEGISLATURE**

Establishes the Arizona Silver Haired Legislature, a nonpartisan panel consisting of Arizona citizens who are at least 60 years of age and who are elected by their peers, to identify and discuss policy issues and annually submit its recommendations to the Governor and the Legislature. The panel terminates on July 1, 2024. AS PASSED HOUSE.

First sponsor: Rep. Gabaldon

Others: Rep. Andrade, Rep. Bolding, Rep. Cardenas, Sen. Dalessandro, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Hale, Rep. Larkin, Rep. McCune Davis, Rep. Plumlee, Rep. Saldate, Rep. Velasquez

H2178:AZ SILVER-HAIRED LEGISLATURE 5/7referred to Senate rules.

## **H2196: PAID SICK AND SAFE TIME**

Effective January 1, 2017, employees who work in Arizona accrue a minimum of one hour of paid sick and safe time for every 30 hours worked. Situations where an employee may use paid sick and safe time are specified, as well as provisions governing accrual, carry over, and transfer of paid sick and safe time.

First sponsor: Rep. Larkin

Others: Rep. Cardenas, Rep. Espinoza, Rep. Friese, Rep. Hale, Rep. Mach

H2196:PAID SICK AND SAFE TIME 1/25 referred to House com.

## **H2199: UNLAWFUL USE; BOOKING PHOTOS; INFORMATION**

It is a petty offense for a person to knowingly public on a publicly accessible website the booking photo and arrest information of another person without written permission if that person has not been convicted of the offense and if the information is published for the purpose of harassing the person or obtaining money or any other thing of value from the person. Does not apply to public officials. A second or subsequent violation is a class 1 (highest) misdemeanor.

First sponsor: Rep. Lawrence

Others: Rep. Larkin, Rep. Thorpe

H2199:UNLAWFUL USE; BOOKING PHOTOS; INFORMATION 1/21 referred to House jud.

## **H2203: SCHOOLS; PARTISAN INSTRUCTION PROHIBITED**

A teacher in any school district or charter school is guilty of unprofessional conduct and the school district or charter school is required to revoke the teacher's certificate if the teacher promotes any partisan doctrine, advocates for or against any political party, conducts any partisan exercise in school, encourages or otherwise indoctrinates students to promote or adopt the teacher's partisan or political viewpoints, or puts on public display a student's support for the teacher's political position or order to promote the teacher's position. The school principal is required to investigate any complaint received by the school for a violation. An administrator in a school district or charter school who does not actively prevent or cease a teacher's political or partisan activity in the classroom in a timely manner is guilty of unprofessional conduct, and the administrator's certificate must be revoked. If the State Board of Education or the Superintendent of Public Instruction determines that a school district has failed to prevent or cease a violation of these prohibitions, after 60 days notice the Board or Superintendent may direct the Department of Education to withhold up to 10 percent of the monthly apportionment of state aid that would otherwise be due the school district or charter school. When the Board or Superintendent determines that the district or school is in compliance, the Dept is required to restore the full amount of state aid payments. The Dept is required to pay for all expenses of a hearing conducted for these requirements.

First sponsor: Rep. Finchem

Others: Rep. Barton, Rep. Borrelli, Sen. Burges, Rep. Cobb, Rep. Kern, Rep. Lawrence, Rep. Livingston, Rep. Mitchell, Rep. Townsend

H2203:SCHOOLS; PARTISAN INSTRUCTION PROHIBITED 1/28 referred to House educ.

## **H2204: SALVIA DIVINORUM; UNLAWFUL ACTS; DEFENSE**

It is a class 2 (mid-level) misdemeanor for a person to sell, distribute, administer or give, or offer to sell, distribute, administer or give "salvia divinorum" (defined) to a person who is under 21 years of age. It is an affirmative defense to a prosecution for a violation that the person reasonably relied on fraudulent proof of age.

First sponsor: Rep. Meyer

Others: Rep. Hale, Rep. Mendez

H2204:SALVIA DIVINORUM; UNLAWFUL ACTS; DEFENSE 1/21 referred to House jud.

## **H2208: STO CAP; GENERAL FUND PERCENTAGE**

The aggregate dollar amount of the cap on corporate income tax credit for contributions to school tuition organizations in any fiscal year cannot exceed one percent of the amount appropriated for all purposes by the Legislature from the general fund in any fiscal year.

First sponsor: Rep. Frieze

Others: Rep. Cardenas, Rep. Clark, Rep. Fernandez, Rep. Gabaldon, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. Mendez, Rep. Otondo

H2208:STO CAP; GENERAL FUND PERCENTAGE 5/5 referred to House rules only.

## **H2209: STOS; ADMINISTRATIVE COST ALLOCATION**

School tuition organizations are required to allocate at least 95 percent, increased from 90 percent, of annual revenue from contributions for the purpose of income tax credits for educational scholarships or tuition grants.

First sponsor: Rep. Frieze

Others: Rep. Alston, Rep. Andrade, Rep. Cardenas, Rep. Clark, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. Mendez, Rep. Otondo, Rep. Saldate, Rep. Velasquez

H2209:STOS; ADMINISTRATIVE COST ALLOCATION 5/5 referred to House rules only.

## **H2213: STO SCHOLARSHIPS; STUDENT TRANSFERS**

The list of students that must receive at least 90 percent of contributions made to school tuition organizations using the higher income tax credit limits is modified to remove students who received an educational scholarship or tuition grant under other requirements in a previous year and continue to attend a qualified school in a subsequent year.

First sponsor: Rep. Frieze

Others: Rep. Alston, Rep. Andrade, Rep. Cardenas, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Mendez, Rep. Otondo, Rep. Saldate, Rep. Velasquez

H2213:STO SCHOLARSHIPS; STUDENT TRANSFERS 5/5 referred to House rules only.

## **H2215: LIQUOR LICENSE SURCHARGE; USE; REPORT (TECH CORRECTION; TRADE OR COMMERCE)**

The Director of the Department of Liquor Licenses and Control is required to report the use of monies from the surcharges assessed on all liquor licenses to the State Liquor Board at each Board meeting or as the Board may direct. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Kern

H2215:LIQUOR LICENSE SURCHARGE; USE; REPORT 5/11 signed by governor. Chap. 184, Laws 2016.

## **H2220: FIREARMS; STATE PREEMPTION; INDEPENDENT CONTRACTORS**

Statute establishing state preemption over local jurisdiction firearms regulations no longer specifically allows a political subdivision to enact or enforce an ordinance or rule regulating independent contractors of the political subdivision who are acting within the course and scope of their employment or contract.

First sponsor: Rep. Kern

Others: Rep. J. Allen, Rep. Barton, Rep. Borrelli, Rep. Boyer, Rep. Finchem, Rep. Lawrence, Rep. Leach, Rep. Mitchell, Rep. Norgaard, Rep. Olson, Rep. Petersen, Rep. Rivero, Rep. Shope, Rep. Thorpe, Rep. Weninger

H2220:FIREARMS; STATE PREEMPTION; INDEPENDENT CONTRACTORS 1/21 referred to House jud.

## **H2224: PRIVATE FIREARM TRANSACTIONS; PROHIBITED ENCUMBRANCES**

The state or any political subdivision is prohibited from enacting or implementing any additional fee, tax, assessment, lien or other encumbrance on the transfer of a firearm between two private parties who are not prohibited possessors under state or federal law. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Lawrence

Others: Rep. J. Allen, Rep. Barton, Rep. Borrelli, Sen. Burges, Rep. Cobb, Sen. D. Farnsworth, Rep. Finchem, Rep. Gowan, Sen. Kavanagh, Rep. Kern, Rep. Leach, Rep. Rivero, Rep. Shope, Rep. Thorpe

H2224:PRIVATE FIREARM TRANSACTIONS; PROHIBITED ENCUMBRANCES 3/30 signed by governor. Chap. 84, Laws 2016.

## **H2229: COMMUNITY COLLEGES; TUITION WAIVERS**

Community college district boards are required to waive the first two years of tuition and fees for students who reside in Arizona and who maintain a grade point average of at least 2.5 on a 4.0 scale, or the equivalent, for the duration of the two-year waiver period. Conditionally enacted on funding being provided under federal law to reimburse community colleges for at least 75 percent of the cost of the tuition and fee waivers and funding being provided by the state to reimburse community colleges for at least 25 percent of the cost of the tuition and fee waivers.

First sponsor: Rep. Bolding

Others: Rep. Andrade, Rep. Cardenas, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Hale, Rep. Larkin, Rep. McCune Davis, Rep. Mendez, Rep. Otondo

H2229:COMMUNITY COLLEGES; TUITION WAIVERS 1/26 referred to House gov-higher ed, appro.

## **H2231: SCHOOL PUPILS; CONCUSSIONS; REPORTING**

School districts are required to annually notify the Department of Education of all students who were suspected of sustaining a concussion in a practice session, game or other interscholastic athletic activity and who were immediately removed from the athletic activity.

First sponsor: Rep. Bolding

Others: Rep. Andrade, Rep. Cardenas, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Hale, Rep. McCune Davis, Rep. Mendez

H2231:SCHOOL PUPILS; CONCUSSIONS; REPORTING 1/25 referred to House educ.

## **H2241: TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED**

For the first six months that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Does not apply beginning on the licensee's 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Effective July 1, 2017.

First sponsor: Rep. Fann

Others: Rep. Bowers, Rep. Brophy McGee, Rep. Cardenas, Rep. Friese, Rep. Gabaldon, Rep. Hale, Rep. Lawrence, Rep. McCune Davis, Rep. Mendez, Rep. Meyer, Sen. Sherwood, Rep. Wheeler

H2241:TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED 2/10 from House trans-inf do pass.

## **H2262: CHILD CARE ASSISTANCE**

Child care assistance must cease after a time period specified in rule by the Department of Economic Security once the family income exceeds 165 percent of the federal poverty level but remains below 85 percent of the state median income. If the family income exceeds 85 percent of the state median income, child care assistance must cease on notification by the Dept. The list of reasons the Dept may pay different levels of child care assistance rates is expanded to include the level of a state-approved quality indicator. Effective September 1, 2016. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Brophy McGee

H2262:CHILD CARE ASSISTANCE 5/11 signed by governor. Chap. 187, Laws 2016.

## **H2273: ABORTION; PARENTAL CONSENT; COUNSELING EXCEPTION**

Parental consent or judicial authorization for a minor to receive an abortion is not required if a physician provides specified information and counseling or refers the minor to a counselor who will provide the information and counseling, and the person providing the information and counseling has the minor sign and date a form stating that the minor received the information and stating the reasons for not involving the minor's parent or guardian.

First sponsor: Rep. Mendez

Others: Rep. Cardenas, Rep. Clark, Rep. Fernandez, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. Plumlee, Rep. Velasquez



H2273:ABORTION; PARENTAL CONSENT; COUNSELING EXCEPTION 5/5 referred to House rules only.

#### **H2274: ABORTION; PARENTAL CONSENT; EXCEPTION**

Parental consent or judicial authorization for a minor to receive an abortion is not required if the attending physician receives informed consent from the minor and determines that the minor is mentally and physically competent to give consent.

First sponsor: Rep. Mendez

Others: Rep. Cardenas, Rep. Fernandez, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. Plumlee, Rep. Velasquez

H2274:ABORTION; PARENTAL CONSENT; EXCEPTION 5/5 referred to House rules only.

#### **H2275: GENETICALLY ENGINEERED FOODS; LABELING**

Food that is offered for sale at retail and that is entirely or partially produced with "genetic engineering" (defined) is required to be labeled as produced entirely or in part from genetic engineering. Some exceptions. Violations are subject to a civil penalty of up to \$1,000 per day per product and are an unlawful practice subject to enforcement through private action and prosecution by the Attorney General. Effective July 1, 2017. Severability clause.

First sponsor: Rep. Mendez

Others: Rep. Andrade, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Gabaldon, Rep. Hale, Rep. Plumlee, Rep. Velasquez

H2275:GENETICALLY ENGINEERED FOODS; LABELING 5/5 referred to House rules only.

#### **H2279: JUSTIFICATION; DEADLY PHYSICAL FORCE; EXCEPTIONS**

A person is not justified in threatening or using deadly physical force against another person if the person either leaves a place of safety and actively pursues the other person who is engaged in a lawful activity or pursues the other person after a law enforcement officer requests that the person retreat to a place of safety.

First sponsor: Rep. Mendez

Others: Rep. Andrade, Rep. Cardenas, Rep. Clark, Rep. Fernandez, Rep. Gabaldon, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. Otondo, Rep. Plumlee, Rep. Velasquez

H2279:JUSTIFICATION; DEADLY PHYSICAL FORCE; EXCEPTIONS 5/5 referred to House rules only.

#### **H2283: RANKED CHOICE VOTING**

Establishes a system of ranked choice voting, including methods for tabulating ranked choice votes. The list of capabilities a voting machine or device must have is expanded to include implementing ranked choice voting when ranking for contests is possible.

First sponsor: Rep. Mendez

Others: Rep. Clark, Rep. Hale, Rep. Larkin, Rep. Mach

H2283:RANKED CHOICE VOTING 1/25 referred to House elect.

## **H2291: GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE**

The exemption from any irrigation water duties or intermediate water duties for a person with an irrigation grandfathered right on irrigation acres in the management plans for the first through fourth management periods for the Phoenix Active Management Area (AMA) is extended to the fifth management period and terminates on December 31, 2024. The exemption from conservation requirements for the distribution of groundwater for specified companies and districts is also extended to the fifth management period for the Phoenix AMA and terminates on December 31, 2024. The exemption from groundwater withdrawal fees and water quality assurance fees for these areas is extended five years through 2024, from 2019. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Mitchell

H2291:GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE 3/30 signed by governor. Chap. 86, Laws 2016.

## **H2297: POLITICAL ADS; CONTRIBUTORS; DISCLOSURE**

If a political committee makes an independent expenditure for campaign literature or advertisements, the political committee is required to include the names and telephone numbers of up to three political committees making the largest contributions that in the aggregate for that political committee total 20 percent or more of the total amount of contributions, instead of being required to include the names and telephone numbers of the three political committees making the largest contributions. If no political committee has contributed 20 percent of the total contributions, the names of the three political committees that made the largest amount of aggregate contributions are required to be disclosed. Also makes various changes to Laws 2016, Chapter 79 (S1516 CAMPAIGN FINANCE AMENDMENTS). A candidate committee is prohibited from making contributions to a candidate committee for another candidate, and related contribution limits are deleted. The conditions under which a candidate committee is authorized to transfer contributions to any other candidate committees for that same candidate are modified. Candidate committees are authorized to reattribute an excess contribution only if the excess contribution was received from an individual contributor and the contributor authorizes the candidate committee to do so. A candidate committee may accept contributions only from an individual, partnership, candidate committee, political action committee or a political party. Establishes criminal classifications and penalties for campaign finance violations. Session law establishes guidelines for political committees in existence on November 8, 2016 to transition to the new system. Changes the effective date of Laws 2016, Chapter 79 to the last day for filing a preelection campaign finance report for the November 2016 general election, instead of January 1, 2017. The related sections of this legislation become effective on the same date. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Mesnard

H2297:POLITICAL ADS; CONTRIBUTORS; DISCLOSURE 5/18 signed by governor. Chap. no. awaited.

## **H2298: FINANCIAL DISCLOSURE; PUBLIC OFFICER; TRAVEL**

The list of information that must be disclosed in public officer financial disclosure statements is expanded to include the name of each meeting, conference or other event where the public officer is participating in an official capacity if "travel-related expenses" (defined) of \$1,000 or more were incurred on behalf of the public officer and are not paid by the public officer. Effective January 1, 2017.

First sponsor: Rep. Mesnard

H2298:FINANCIAL DISCLOSURE; PUBLIC OFFICER; TRAVEL 2/8 from House elect do pass.

### **H2299: CLASS SIX PROPERTY; ELDERLY HOMEOWNERS**

The list of property classified as class six for property tax purposes is expanded to include real and personal property and improvements to the property that are used as the owner's primary residence, that are owned by an individual who qualifies for property valuation protection under the state Constitution (for which a person must be age 65 or older), and that are valued at full cash value. Other requirements to qualify for this classification are specified.

First sponsor: Rep. Cardenas

Others: Rep. Andrade, Rep. Bolding, Rep. Bowers, Rep. Cobb, Rep. Espinoza, Rep. Fann, Rep. Fernandez, Rep. Gabaldon, Rep. Larkin, Rep. Lawrence, Rep. Leach, Rep. McCune Davis, Rep. Meyer, Rep. Thorpe, Rep. Velasquez

H2299:CLASS SIX PROPERTY; ELDERLY HOMEOWNERS 5/5 referred to House rules only.

### **H2300: FIREARMS; PROHIBITED GOVERNMENTAL ACTIVITIES**

A state agency, political subdivision or an employee of a state agency or political subdivision acting in the employee's official capacity is prohibited from knowingly and willingly participating in any way in the enforcement of any federal act, law, order, rule or regulation issued, enacted or promulgated on or after the effective date of this legislation "regarding" a personal firearm, a firearm accessory or ammunition that infringes the right to keep and bear arms guaranteed by the second amendment of the U.S. Constitution or that impairs that right in violation of the state Constitution. A state agency, political subdivision or an employee of a state agency or political subdivision acting in the employee's official capacity is prohibited from using any assets, state monies or monies allocated by the state to political subdivisions on or after the effective date of this legislation, in whole or in part, to engage in any activity that aids a federal agency, agent or corporation providing services to the federal government in the enforcement of any federal act, law, order, rule or regulation issued, enacted or promulgated on or after the effective date of this legislation "regarding" a personal firearm, a firearm accessory or ammunition that infringes the right to keep and bear arms guaranteed by the second amendment of the U.S. Constitution or that impairs that right in violation of the state Constitution. The State Treasurer is prohibited from transferring any monies to a political subdivision in the fiscal year after a final judicial determination is made that the political subdivision adopted a rule, ordinance or policy that intentionally violated these prohibitions. Any agent or employee of the state or a political subdivision who knowingly violates these prohibitions is subject to a civil penalty of up to \$3,000 for the first violation. A second or subsequent violation is a class 1 (highest) misdemeanor. Contains legislative findings. AS PASSED HOUSE.

First sponsor: Rep. Kern

Others: Rep. Campbell, Rep. Lawrence, Rep. Leach, Rep. Mitchell, Rep. Montenegro

H2300:FIREARMS; PROHIBITED GOVERNMENTAL ACTIVITIES 4/11 retained on Senate COW calendar.

### **H2304: MOBILE HOME PARKS; TREE MAINTENANCE**

For new tenants moving into a mobile home part, any rental agreements executed or adopted after December 31, 2016 are required to specifically disclose in writing any requirement that the tenant maintain one or more existing trees located on the mobile home space. Any change regarding the tenant's obligation to maintain any

one or more trees located on the mobile home space constitutes a substantial modification of the rental agreement. Beginning May 31, 2016 and retroactive to that date, a new rule adopted after the execution of a mobile home park tenant's initial rental agreement that imposes a reoccurring financial obligation on a tenant is not enforceable against the tenant. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Coleman

Others: Rep. Ackerley, Rep. Shope

H2304:MOBILE HOME PARKS; TREE MAINTENANCE 5/17 signed by governor. Chap. 253, Laws 2016.

## **H2309: CHILDREN'S HEALTH INSURANCE PROGRAM**

Eliminates the enrollment cap for the Children's Health Insurance Program (KidsCare). Within five days after the effective date of this legislation, the AHCCCS Administration is required to submit to the Centers for Medicare and Medicaid Services (CMMS) a state plan amendment to resume enrollment in the program. Conditionally enacted on CMMS approving the plan amendment to resume enrollment by July 1, 2017. AS PASSED HOUSE.

First sponsor: Rep. Cobb

Others: Sen. Begay, Rep. Brophy McGee, Rep. Carter, Rep. Lawrence, Rep. Meyer

H2309:CHILDREN'S HEALTH INSURANCE PROGRAM 5/7 referred to Senate rules.

## **H2320: BODY ART ESTABLISHMENTS; LICENSURE**

Beginning January 1, 2018, a person is prohibited from operating a "body art establishment" (defined) without a license issued by a local public health department, from performing body art on a person who is under 18 years of age without the written consent and the physical presence of the child's parent or guardian, from performing various types of piercings, and from engaging in the business of tattooing or body piercing out of a home or an impermanent structure. The Department of Health Services is required to establish minimum standards for body art establishment licensure. Does not prohibit counties and municipalities from adopting and enforcing ordinances affecting body art establishments.

First sponsor: Rep. Meyer

H2320:BODY ART ESTABLISHMENTS; LICENSURE 2/1 referred to House hel.

## **H2327: CASH ASSISTANCE; LIFETIME LIMIT**

Effective July 1, 2016, a needy family is ineligible for Temporary Assistance for Needy Families cash assistance, except in case of hardship, if the needy family includes a head of household or spouse who has received cash assistance for himself or on behalf of a dependent child for a total of 24 months, increased from 12 months. Cash assistance will terminate on August 1, 2016 for any family that has received 24 or more months of cash assistance as of that date. Retroactive to July 1, 2016.

First sponsor: Rep. Frieze

Others: Rep. Alston, Rep. Andrade, Rep. Benally, Rep. Bolding, Sen. Bradley, Sen. Cajero Bedford, Rep. Cardenas, Rep. Clark, Sen. Contreras, Sen. Dalessandro, Rep. Espinoza, Sen. Farley, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Sen. Hobbs, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Sen. McGuire, Rep. Mendez, Rep. Meyer, Sen. Meza, Sen. Miranda, Rep. Otondo, Sen. Pancrazi, Rep. Plumlee, Sen. Quezada, Rep. Rios, Rep. Saldate, Sen. Sherwood, Rep. Steele, Rep. Velasquez, Rep. Wheeler

H2327:CASH ASSISTANCE; LIFETIME LIMIT 1/26 referred to House child-fam, appro.

## **H2328: PUBLIC SCHOOL TAX CREDIT REALLOCATION**

The maximum individual income tax credit for cash contributions to a public school is increased to \$500 for a single individual, from \$200, and to \$1,000 in tax year 2016 and subsequent years for a married couple filing jointly, from \$400. A public school that receives cash contributions for the credit retains the first \$250,000 it receives each year. Of any additional monies it receives, the public school is required to surrender and transfer 25 percent to the Public School Needs Fund established by this legislation. Monies in the Fund are held in trust by the Department of Education, and the Dept is required to distribute the monies based on the financial need of school districts and charter schools that apply for distributions.

First sponsor: Rep. Frieze

Others: Rep. Cardenas, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Hale, Rep. Larkin, Rep. Rios

H2328:PUBLIC SCHOOL TAX CREDIT REALLOCATION 1/26 referred to House ways-means.

## **H2338: EDUCATIONAL INSTITUTIONS; FIREARMS; RIGHTS-OF-WAY**

The governing board of an educational institution is prohibited from adopting or enforcing any policy or rule that prohibits the lawful possession or carrying a deadly weapon on a "public right-of-way" (defined) by a person or within a person's means of transportation. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Townsend

Others: Sen. S. Allen, Rep. Borrelli, Sen. Burges, Rep. Campbell, Sen. D. Farnsworth, Rep. Finchem, Sen. Griffin, Sen. Kavanagh, Rep. Lawrence, Rep. Leach, Rep. Livingston, Rep. Lovas, Rep. Thorpe

H2338:EDUCATIONAL INSTITUTIONS; FIREARMS; RIGHTS-OF-WAY 5/10 signed by governor. Chap. 131, Laws 2016.  
[message](#)

## **H2345: PUBLIC RECORDS; ATTORNEY FEES**

The court is prohibited from awarding attorney fees to a public officer or public body in an action under public records law.

First sponsor: Rep. Gonzales

Others: Rep. Alston, Rep. Saldate

H2345:PUBLIC RECORDS; ATTORNEY FEES 5/5 referred to House rules only.

## **H2347: END-OF-LIFE DECISIONS; TERMINALLY ILL**

A "qualified patient" (defined) is permitted to make a written request for medication to end the patient's life. Establishes a process for the request, including a requirement for it to be signed and witnessed by at least two persons who meet specified requirements. Also establishes required procedures for the attending physician and a consulting physician. Requires a 15-day waiting period and provides for effect on construction of wills and contracts. Specifies immunities and civil penalties for violations.

First sponsor: Rep. Gonzales

Others: Rep. Alston, Rep. Andrade, Rep. Benally, Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Frieze, Rep. Gabaldon, Rep. Hale, Rep. Mendez, Rep. Otondo, Rep.

Plumlee, Rep. Rios, Rep. Saldate, Rep. Velasquez, Rep. Wheeler

H2347:END-OF-LIFE DECISIONS; TERMINALLY ILL 5/5 referred to House rules only.

### **H2351: ELECTED OFFICIAL; CONTEMPT; JURY TRIAL**

If an elected official is allegedly in contempt, the elected official cannot be sentenced to imprisonment without a trial. The trial may be by the court unless the elected official demands a jury trial.

First sponsor: Rep. Finchem

Others: Rep. Barton, Rep. Borrelli, Sen. Burges, Rep. Lawrence, Rep. Thorpe, Rep. Townsend

H2351:ELECTED OFFICIAL; CONTEMPT; JURY TRIAL 1/25 referred to House jud.

### **H2365: STUDY COMMITTEE; ARIZONA'S 911 SYSTEM**

Establishes a 14-member Study Committee on Arizona's 911 System to examine the telecommunications service excise tax, the transition to next generation 911, and other related issues. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by November 1, 2017. Self-repeals January 1, 2018. AS PASSED HOUSE.

First sponsor: Rep. Thorpe

Others: Rep. Borrelli, Rep. Boyer, Rep. Brophy McGee, Rep. Carter, Rep. Cobb, Rep. Coleman, Rep. Fann, Rep. Finchem, Rep. Mitchell, Rep. Otondo, Rep. Shope, Rep. Townsend

H2365:STUDY COMMITTEE; ARIZONA'S 911 SYSTEM 5/7 referred to Senate rules.

### **H2370: SOVEREIGN AUTHORITY; REFUGEES**

The state and political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any action of the U.S. government that places within Arizona any refugee, unaccompanied alien child or other person who is not a U.S. citizen unless the person has undergone a thorough criminal history, terrorism and health background check and has been approved for placement by the state, and the U.S. government has agreed to fully reimburse the state and political subdivisions for the ongoing costs of the placement.

First sponsor: Rep. Thorpe

Others: Rep. Boyer, Rep. Cobb, Rep. Fann, Rep. Finchem, Rep. Mesnard, Rep. Townsend

H2370:SOVEREIGN AUTHORITY; REFUGEES 3/1 from House rules with a technical amendment.

### **H2372: LIQUOR LICENSES; STORES; PROXIMITY; EXCEPTION**

The list of liquor licensees exempt from statutory restrictions on licensed premises being near school or church buildings is expanded to include a grocery store that contains at least 4,500 square feet of retail space, that derives less than 50 percent of its gross revenue from the sale of spirituous liquor and that offers fresh produce for sale.

First sponsor: Rep. Shope

Others: Sen. Begay, Rep. Borrelli, Rep. Cardenas, Rep. Coleman, Rep. Finchem, Sen. Shooter

H2372:LIQUOR LICENSES; STORES; PROXIMITY; EXCEPTION 2/18 FAILED to pass House 22-35. House voted to reconsider failure to pass bill. Second vote scheduled for 2/25.

## **H2374: CHILD PROSTITUTION; OFFENSE**

The list of acts constituting child prostitution is expanded to include knowingly providing a means by which a minor engages in prostitution. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

H2374:CHILD PROSTITUTION; OFFENSE 3/11 signed by governor. Chap. 7, Laws 2016.

## **H2375: CRIME VICTIMS' RIGHTS; FACILITY DOG**

The court is required to allow a victim who is under 18 years of age the opportunity to have a "facility dog" (defined) accompany the victim while testifying in court, and is authorized to allow a victim who is 18 years of age or more or a witness to use a facility dog. A party seeking the use of a facility dog is required to file a notice with the court that includes specified information. Contains a legislative intent section. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

H2375:CRIME VICTIMS' RIGHTS; FACILITY DOG 5/11 signed by governor. Chap. 135, Laws 2016.

## **H2383: PUBLIC RECORDS; LAW ENFORCEMENT (SUPREME COURT; REPORTS; WEBSITE POSTING)**

In a special action brought under public records law for the release of any record created or received by or in possession of a law enforcement or prosecution agency that relates to a criminal investigation or prosecution and that visually depicts the image of a witness under 18 years of age or a crime victim as defined in the criminal code, the petitioner must establish that the public's interest in disclosure outweighs the witness's or victim's right to privacy. A victim whose image is depicted in a record has the right to be present at and to be heard in any action brought for the release of the record. The "personal identifying information" (defined) of a witness to a crime contained in a record created or received by or in possession of a law enforcement or prosecution agency that relates to a criminal investigation or prosecution is prohibited from being disclosed by a public body unless the witness consents in writing to the disclosure, a court of competent jurisdiction orders the disclosure, or the witness's address is the location where the crime occurred. This requirement does not affect any records transmitted between law enforcement and prosecution agencies, a court or a clerk of the court or any provision of law that governs the discovery process of the conduct of trials. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

H2383:PUBLIC RECORDS; LAW ENFORCEMENT 5/11 signed by governor. Chap. 194, Laws 2016.

## **H2391: MUNICIPALITIES; WATER RATES; REQUIREMENTS**

Municipalities are prohibited from assessing or collecting a fee on new water or wastewater service connections at the time of the establishment of service to those connections for the purpose of recovering the municipality's costs of acquiring the utility plan, facilities, system or other property of a public service corporation or another municipality engaged in the business of providing water or wastewater service. Does not apply to water or wastewater fees adopted before January 1, 2016.

or included in a notice of intent to adopt or increase rates and fees adopted before January 1, 2016. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Bowers

Others: Sen. Griffin

H2391:MUNICIPALITIES; WATER RATES; REQUIREMENTS 5/11 signed by governor. Chap. 195, Laws 2016.

### **H2393: HIRING PRACTICES; CRIMINAL HISTORY; LIMITATION**

Employers are prohibited from inquiring, considering or requiring disclosure of the criminal conviction record of an applicant for employment during the hiring process unless it has a direct relationship to the employment position, is only for the period of the ten most recent consecutive years, and takes place after the applicant has received a conditional offer of employment. Does not apply to positions that require a valid fingerprint clearance card.

First sponsor: Rep. Velasquez

Others: Rep. Alston, Rep. Andrade, Rep. Bolding, Rep. Cardenas, Rep. Clark, Sen. Contreras, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Mendez, Sen. Quezada, Rep. Rios, Rep. Rivero

H2393:HIRING PRACTICES; CRIMINAL HISTORY; LIMITATION 2/4 referred to House jud.

### **H2398: FIREWORKS; DEFINITION (~~TECH CORRECTION; BANK DEPOSITS~~)**

The definition of "permissible consumer fireworks" is expanded to include mine and shell devices and firecrackers. AS PASSED HOUSE.

First sponsor: Rep. Kern

H2398: FIREWORKS; DEFINITION 5/5 FAILED to pass Senate 14-15.

### **H2404: MEDICAL MARIJUANA CARD; FEES; PROHIBITION**

The Department of Health Services is prohibited from providing a reduced fee for a patient application for a medical marijuana card if the patient participates in the supplemental nutrition assistance program. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Leach

Others: Rep. Finchem, Rep. Kern, Rep. Livingston, Rep. Petersen, Rep. Thorpe

H2404:MEDICAL MARIJUANA CARD; FEES; PROHIBITION 1/25 referred to House hel, jud.

### **H2405: MEDICAL MARIJUANA; CULTIVATION; FACILITIES**

Medical marijuana cultivation facilities must have a roof and a hardened covering. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Leach

Others: Rep. Finchem, Rep. Kern, Rep. Livingston, Rep. Thorpe

H2405:MEDICAL MARIJUANA; CULTIVATION; FACILITIES 3/1 FAILED to pass House 36-23 (requires 3/4 vote).



## **H2406: CANNABIS; REGULATION; TAXATION**

Establishes a new article in Title 36 (Public Health) regulating cannabis for personal use, including allowing a person who is at least 21 years of age to possess, consume, use, display, purchase or transport one ounce or less of cannabis and grow and transport up to five cannabis plants. Establishes regulations for personal cultivation of cannabis plants and prohibits public smoking of cannabis. Also establishes regulations for cannabis establishments, including registration with the Department of Health Services. Levies a tax on the sale or transfer of cannabis from a cannabis cultivation facility to a retail cannabis store or cannabis product manufacturing facility at the rate of \$50 per ounce, to be adjusted annually for inflation or deflation. Provides for distribution of tax revenues as follows: 30 percent to the Department of Education, 20 percent to the Department of Health Services, and 50 percent to the general fund. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Rep. Mendez

Others: Rep. Andrade, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Plumlee

H2406:CANNABIS; REGULATION; TAXATION 5/5 referred to House rules only.

## **H2413: EMPLOYMENT DISCRIMINATION; PROHIBITION**

The list of attributes for which a person cannot be discriminated against in employment practices is expanded to include gender, gender identity or expression or sexual orientation. A religious organization is allowed to take certain employment actions on the basis of gender, gender identity or expression or sexual orientation if the employee's position is directly related to the religious functions of the organization or directly involved in providing education to students of an educational institution substantially controlled or supported by the religious organization.

First sponsor: Rep. Mach

Others: Rep. Mendez, Rep. Meyer

H2413:EMPLOYMENT DISCRIMINATION; PROHIBITION 5/5 referred to House rules only.

## **H2414: PUBLIC ACCOMMODATIONS; ANTIDISCRIMINATION**

The list of attributes for which a person cannot be discriminated against in places of public accommodation is expanded to include "gender identity" and "sexual orientation" (both defined).

First sponsor: Rep. Mach

Others: Rep. Mendez, Rep. Meyer

H2414:PUBLIC ACCOMMODATIONS; ANTIDISCRIMINATION 5/5 referred to House rules only.

## **H2415: HOUSING DISCRIMINATION; PROHIBITION**

The list of attributes for which a person cannot be discriminated against in various housing related statutes is expanded to include gender, gender identity or expression and sexual orientation.

First sponsor: Rep. Mach

Others: Rep. Mendez, Rep. Meyer

H2415:HOUSING DISCRIMINATION; PROHIBITION 5/5 referred to House rules only.

#### **H2419: STALKING; OFFENSE; DEFINITIONS**

Modifies the definition of "stalking," a class 5 (second-lowest) felony, to mean intentionally or knowingly engaging in a "course of conduct" (defined) that causes the victim to suffer "emotional distress" (defined) or reasonably fear that the victim's property will be damaged or destroyed or that the victim or a list of persons or animals connected to the victim will be physically injured. Modifies the definition of "stalking," a class 3 (mid-level) felony, to mean intentionally or knowingly engaging in a course of conduct that causes the victim to reasonably fear death or the death of a list of persons or animals connected to the victim. Does not apply to an interactive computer service, an information service or telecommunications service (as defined in federal law) for content that is provided by another person. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

H2419:STALKING; OFFENSE; DEFINITIONS 3/17 signed by governor. Chap. 44, Laws 2016.

#### **H2426: DISORDERLY CONDUCT**

It is no longer "disorderly conduct," a class 1 (highest) misdemeanor, to use abusive or offensive language or gestures in a manner likely to provoke immediate physical retaliation.

First sponsor: Rep. Townsend

Others: Rep. Campbell

H2426: DISORDERLY CONDUCT 1/25 referred to House jud.

#### **H2427: CHILD REMOVAL; UNIFORM CRITERIA**

The Department of Child Safety is required to apply DCS rules, policies and safety and risk assessment tools for removal of a child from a home uniformly across the state. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Townsend

H2427:CHILD REMOVAL; UNIFORM CRITERIA 4/5 signed by governor. Chap. 103, Laws 2016.

#### **H2428: PUBLICITY PAMPHLETS; ARGUMENTS; ELECTRONIC SUBMITTAL**

The Secretary of State is authorized to prescribe a method for filing nomination petitions, including electronic filing, and to prescribe an alternative page width and length for signature sheets in the elections procedures manual. A receipt for petition sheets filed may be electronically issued. The procedures used by the Secretary of State to group signatures together, remove ineligible signatures, and identify signatures selected for random samples are modified. The Secretary of State may dispose of signature sheets after a reasonable period of time. The Secretary of State is required to post the publicity pamphlet for initiative and referendum measures, the dates on which ballot measure filings are due, and the dates on which arguments advocating or opposing the measures are due on the Secretary of State's website as soon as is practicable. Each argument advocating for or against a ballot measure that is filed for inclusion in the publicity pamphlet is required to also be submitted to the Secretary of State in electronic format. The Secretary of State is

required to provide for electronic submittal of deposit payments for the arguments.

AS SIGNED BY GOVERNOR.

First sponsor: Rep. Stevens

H2428:PUBLICITY PAMPHLETS; ARGUMENTS; ELECTRONIC SUBMITTAL 5/17 signed by governor. Chap. 296, Laws 2016.

## **H2442: BEHAVIORAL HEALTH; URGENT NEED; CHILDREN**

If a dependent child who is in the legal custody of the Department of Child Safety (DCS) is placed in an out-of-home placement, DCS is required to give the out-of-home placement contact information for the child's caseworker, the child's regional behavioral health authority (RBHA) designated point of contact, the telephone number to the AHCCCS customer service line, a list of AHCCCS providers and information regarding the out-of-home placement's rights, if applicable. If the out-of-home placement or an adoptive parent of an eligible child identifies an urgent need for the child to receive behavioral health services, the parent is permitted to directly contact a RBHA for a screening and evaluation of the child. The RBHA is required to dispatch an assessment team within 72 hours after being notified that the child has entered out-of-home placement or within 2 hours after being notified that the child has immediate needs, and must provide an initial evaluation of the child within 7 calendar days. If after the screening and evaluation it is determined that the child needs services, the RBHA is required to provide an initial appointment for the child within 21 calendar days. If the initial service is not provided within 21 days, the parent may access services directly from any AHCCCS provider regardless of whether the is contracted with the RBHA. If an out-of-home placement or adoptive parent recognizes that a child is in need of crisis services and the crisis service provider in that county is not responsive, the parent may contact the RBHA designated point of contact to coordinate crisis services for the child. A parent cannot be considered as having abused, neglected or abandoned or be charged with abuse, neglect or abandonment of a foster or adoptive child for seeking inpatient treatment or an out-of-home placement if the child's behavioral health needs pose a risk to the safety and welfare of the family, or solely for bringing into the home a biological, foster or adoptive child whose behavioral health needs pose a risk to the safety and welfare of the family. DCS is prohibited from using as the basis for removing a foster child from a licensed foster parent the parent's request to disrupt a foster child or the dissolution of an adoption that occurred based on that the parent was unable to receive services that the child was statutorily entitled to receive, or based on that the foster or adoptive child threatened the health or safety of the adoptive family. Additionally, if a child who has been in foster care is returned to the child's home then removed again from the child's home, DCS is required to notify all foster homes in which the child previously resided that the child has been removed, and DCS is required to place the child in a foster home in which the child has resided, unless the placement is not in the best interests of the child or none of the prior foster homes wants the placement. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

Others: Rep. Alston, Rep. Benally, Sen. Biggs, Rep. Bowers, Rep. Boyer, Rep. Brophy McGee, Rep. Carter, Rep. Coleman, Sen. D. Farnsworth, Rep. Fernandez, Rep. Friese, Sen. Hobbs, Rep. Mach, Rep. McCune Davis, Rep. Meyer, Rep. Norgaard, Rep. Otondo, Rep. Petersen, Rep. Rios, Rep. Saldate, Rep. Townsend

H2442:BEHAVIORAL HEALTH; URGENT NEED; CHILDREN 3/24 signed by governor. Chap. 71, Laws 2016.

## **H2446: PROHIBITED WEAPON; DEFINITION; EXCLUSIONS**

The items included in the definition of "prohibited weapons" do not include any firearms possessed, manufactured or transferred in compliance with federal law. Previously, the items did not include any firearms or devices registered in the national firearms registry and transfer records of the U.S. Treasury Department. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Livingston

Others: Rep. J. Allen, Sen. S. Allen, Rep. Barton, Rep. Borrelli, Rep. Bowers, Sen. Burges, Rep. Campbell, Rep. Coleman, Rep. Fann, Rep. Kern, Rep. Larkin, Rep. Lawrence, Rep. Lovas, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Norgaard, Rep. Rivero, Rep. Shope

H2446:PROHIBITED WEAPON; DEFINITION; EXCLUSIONS 5/17 signed by governor. Chap. 297, Laws 2016.

## **H2458: CHILD PROTECTION REGISTRY; PROHIBITED COMMUNICATIONS**

The Secretary of State is required to establish and maintain a child protection registry to compile and secure a list of "contact points" (defined as an electronic identification to which a communication may be sent). A person may register a contact point with the Secretary of State if it belongs to a minor, a minor has access to it, or it is used in a household in which a minor is present. A person is prohibited from sending, causing to be sent or conspiring with a third party to send communication to a contact point that has been registered for more than 30 calendar days if the communication has the primary purpose of advertising or promoting a product or service that a minor is prohibited by law from purchasing or if it contains or has the primary purpose of advertising or promoting material that is harmful to minors (as defined in the criminal code). Violations are a class 2 (mid-level) misdemeanor, except that a second or subsequent violation with respect to a contact point is a class 1 (highest) misdemeanor. It is a class 2 (second-highest) felony to use information obtained from the Secretary of State to send prohibited communications or to improperly obtain or attempt to obtain contact points from the registry.

First sponsor: Rep. Brophy McGee

Others: Sen. Barto, Rep. Cardenas, Rep. Carter, Rep. Cobb, Sen. Driggs, Rep. Olson

H2458:CHILD PROTECTION REGISTRY; PROHIBITED COMMUNICATIONS 2/23 retained on House COW calendar.

## **H2467: FIDUCIARY ACCESS TO DIGITAL ASSETS**

Adds a new chapter to Title 14 (Trusts and Estates) entitled the Revised Uniform Fiduciary Access to Digital Assets Act. Establishes a procedure for disclosing digital assets and for disclosing content of electronic communications and other digital assets of a deceased user or a principal. Also establishes requirements for disclosure of digital assets held in trust both when the trustee is the original user and when the trustee is not the original user. Within 60 days after receipt of the required information, a custodian is required to comply with a request to disclose digital assets or terminate an account, and the fiduciary or designated recipient may apply to the court for an order directing compliance if the custodian fails to comply. The legal duties imposed on a fiduciary charged with managing tangible property apply to the management of digital assets. A custodian and its officers, employees and agents are immune from liability for an act or omission done in good faith in compliance with this legislation. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Brophy McGee

Others: Rep. Borrelli, Rep. Carter, Rep. Cobb, Rep. Coleman, Sen. Driggs, Rep. Lawrence, Rep. Mesnard, Rep. Shope, Rep. Thorpe, Sen. Worsley, Sen. Yee

H2467:FIDUCIARY ACCESS TO DIGITAL ASSETS 5/17 signed by governor. Chap. 199, Laws 2016.

#### **H2468: INTERNET CRIMES AGAINST CHILDREN; APPROP**

Appropriates \$1.8 million from the Internet Crimes Against Children Enforcement Fund in FY2015-16 to the Attorney General to continue the operation of the federally recognized internet crimes against children task force program. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Boyer

Others: Rep. Ackerley, Rep. J. Allen, Sen. S. Allen, Sen. Barto, Rep. Barton, Rep. Bolding, Rep. Borrelli, Rep. Brophy McGee, Sen. Burges, Rep. Campbell, Rep. Carter, Rep. Cobb, Rep. Coleman, Sen. Dial, Sen. Driggs, Rep. Fann, Sen. D. Farnsworth, Rep. Gray, Sen. Hobbs, Sen. Kavanagh, Rep. Kern, Rep. Lawrence, Sen. Lesko, Rep. Livingston, Rep. Lovas, Rep. Mach, Rep. Montenegro, Rep. Rios, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Townsend, Rep. Weninger

H2468:INTERNET CRIMES AGAINST CHILDREN; APPROP 2/10 signed by governor. Chap. 1, Laws 2016.

#### **H2481: SCHOOLS; PRIMARY PROPERTY TAX RATES**

The school district primary property tax levy is required to be a rate equal to the qualifying tax rate prescribed by statute, or a rate that equals the school district support level subtracted by any amount received for Title 8 funding for children with disabilities per \$100 of assessed valuation used for primary property taxes, whichever is less. At the time of levying school district taxes, the county school superintendent is required to annually validate any additional primary school district tax levy amount requests from each school district and levy an amount determined by a specified calculation. A school district is eligible for supplemental state aid if a county treasurer certifies to the school district that, in the treasurer's reasonable belief, more than 10 percent, decreased from 20 percent, of the primary property tax revenues that the district is entitled by law to receive will not be remitted due to specified circumstances. Cash balances remaining in school district maintenance and operation, unrestricted capital outlay and adjacent ways funds after encumbrances on June 30 of the current year that will be budgeted in the unrestricted capital outlay fund in the following fiscal year are no longer required to be used for reduction of school district taxes for the budget year. School district maintenance and operation budget balance carryforwards in any one fiscal year are no longer limited to four percent of the district's revenue control limit. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Olson

H2481:SCHOOLS; PRIMARY PROPERTY TAX RATES 5/19 signed by governor. Chap. no. awaited.

#### **H2482: EMPOWERMENT SCHOLARSHIPS; EXPANSION; PHASE-IN**

Beginning in the 2016-17 school year, any child who attends a public school in kindergarten through 5th grade is eligible for an Arizona empowerment scholarship account. Beginning in the 2017-18 school year, any child who attends a public school in kindergarten through 8th grade is eligible for an Arizona empowerment scholarship account. Beginning in the 2018-19 school year, any child who attends a public school in kindergarten through 12th grade is eligible for an Arizona empowerment scholarship account.

First sponsor: Rep. Olson

Others: Sen. Barto, Rep. Barton, Sen. Begay, Rep. Borrelli, Sen. Burges, Rep. Campbell, Rep. Fann, Sen. D. Farnsworth, Rep. Finchem, Rep. Gray, Rep. Mesnard, Rep. Norgaard, Sen. Smith, Rep. Thorpe, Sen. Yarbrough

H2482:EMPOWERMENT SCHOLARSHIPS; EXPANSION; PHASE-IN 3/1 retained on House COW calendar.

#### **H2488: SEXUAL ASSAULT; PARENTAL RIGHTS; PROHIBITION**

If a person has been convicted of sexual assault and the assault led to the birth of a child, the convicted person has none of the parental rights prescribed by statute related to legal decision-making or parenting time in regard to that child. AS SIGNED BY GOVERNOR.  
First sponsor: Rep. Bowers

H2488:SEXUAL ASSAULT; PARENTAL RIGHTS; PROHIBITION 4/5 signed by governor. Chap. 104, Laws 2016.

#### **H2494: TAX CREDIT; CONCEALED WEAPON PERMITS**

For tax years beginning with 2016, an individual income tax credit is established for the costs incurred during the tax year for training courses or classes taken by the taxpayer or the spouse or dependent of the taxpayer for the purposes of applying and qualifying for a concealed weapons permit. The maximum tax credit is \$80 and any unused amount of the credit may be carried forward for up to five consecutive tax years. The credit is not allowed for a person who fails to qualify for or who is denied a concealed weapons permit. Retroactive to January 1, 2016.

First sponsor: Rep. Montenegro

H2494:TAX CREDIT; CONCEALED WEAPON PERMITS 2/8 from House ways-means do pass.

#### **H2499: TRUTH IN TAXATION; DETAILED NOTICE**

Expands the information that must be contained in the notice that a county or municipality is required to publish if the proposed primary property tax levy is greater than the amount levied in the preceding tax year. The notice must include each of three explanations that contribute to the tax increase: one for a county or municipality increasing its primary property tax rate, one for an increase in the net assessed value of centrally valued properties valued by the Department of Revenue, and one for an increase in the net assessed value of locally assessed properties valued by the county assessor.

First sponsor: Rep. Barton

Others: Rep. Fann, Rep. Finchem, Rep. Leach, Rep. Mesnard, Rep. Shope, Rep. Thorpe

H2499:TRUTH IN TAXATION; DETAILED NOTICE 1/25 referred to House ways-means.

#### **H2500: UNLAWFUL PRACTICES; AUTO GLASS REPAIR**

The list of unlawful practices for a person who sells or repairs auto glass are applied to an auto glass repair or replacement facility or any agent, contractor, vendor, representative or anyone acting on behalf of the person or facility. The list of acts constituting unlawful practices is expanded to include various acts, including waiving the policyholder's deductible in exchange for an auto glass repair or replacement claim, representing that a claim for a windshield repair or replacement is free, performing auto glass repair or replacement services without obtaining a transaction privilege tax license, and performing auto glass repair or replacement services under an insurance policy without first obtaining the policyholder's and insurer's approval for the specific work. AS PASSED HOUSE.

First sponsor: Rep. Livingston

Others: Rep. J. Allen, Rep. Borrelli, Rep. Boyer, Rep. Campbell, Rep. Coleman, Sen. Contreras, Rep. Fann, Rep. Fernandez, Rep. Finchem, Rep. Larkin, Rep. Leach, Rep. Lovas, Rep. McCune Davis, Rep. Mesnard, Sen. Meza, Sen. Miranda, Rep. Mitchell, Rep. Norgaard, Rep. Otondo, Rep. Petersen, Rep. Thorpe, Rep. Weninger

H2500:UNLAWFUL PRACTICES; AUTO GLASS REPAIR 3/9 referred to Senate fin ins.

## **H2509: VEHICLE EQUIPMENT; LIGHTING**

A tail lamp is added to the list of vehicle lamps that must be maintained at all times in good working condition, in addition to a stop lamp or other signal lamps. A person is prohibited from selling a new motor vehicle and from driving a vehicle on the highways unless every stop lamp on the vehicle meets statutory requirements for visibility and being in good working condition. The first violation of driving a vehicle on the highway without every stop lamp working is not a civil traffic violation and cannot result in a citation, but may result in a warning or notice to repair. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Gray

Others: Rep. Ackerley, Rep. Borrelli, Rep. Shope

H2509:VEHICLE EQUIPMENT; LIGHTING 5/17 signed by governor. Chap. 261, Laws 2016.

## **H2510: EXPERIENCED TEACHER RETENTION PILOT PROGRAM**

The Department of Education is required to conduct a five-year Experienced Teacher Retention Pilot Program. Program participants are eligible to receive a 75 percent discount on tuition at state universities during the Program. Eligibility requirements for the Program are specified. The Program self-repeals January 1, 2023. Appropriates \$15 million from the general fund in each of FY2016-17 through FY2020-21 to the Dept for the Program.

First sponsor: Rep. Friesse

Others: Rep. Alston, Rep. Bolding, Rep. Coleman, Rep. Otondo

H2510:EXPERIENCED TEACHER RETENTION PILOT PROGRAM 2/17 House educ held.

## **H2514: RESTRICTED VEHICLE USE; DUI; REPEAL**

A person who is licensed by the Real Estate Department and who is awaiting trial on or who has been convicted of driving under the influence (DUI), extreme DUI or aggravated DUI within five years from the date of applying for a fingerprint clearance card is exempt from the prohibition on driving any vehicle to transport employees or clients of the employing agency as part of the person's employment, unless the person is employed by specified state agencies. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Borrelli

Others: Sen. Dial, Rep. Fann, Rep. E. Farnsworth, Rep. Finchem, Rep. Gray, Rep. Lawrence, Sen. Shooter, Sen. Smith, Rep. Ugenti-Rita

H2514:RESTRICTED VEHICLE USE; DUI; REPEAL 3/24 signed by governor. Chap. 73, Laws 2016.

## **H2516: INDOOR TANNING; MINORS; RESTRICTED USE**

Tanning facility operators or employees are prohibited from allowing a person under 18 years of age to use a tanning device. Tanning facilities are required to maintain a record of each customer using a tanning device for at least two years. Tanning

facilities are prohibited from advertising or distributing promotional materials that claim that using a tanning device is free from risk or will result in medical or health benefits.

First sponsor: Rep. Cobb

Others: Rep. Carter, Rep. Friese, Rep. Meyer

H2516:INDOOR TANNING; MINORS; RESTRICTED USE 5/5 referred to House rules only.

## **H2520: PROFESSIONAL LICENSURE; RECIPROCITY; MILITARY SPOUSES**

Deletes several requirements for reciprocal licensure for spouses of an active duty member of the U.S. armed forces who accompany the member to an official permanent change of station to a military installation in Arizona. Requires a reciprocal license or certificate for a military spouse to be issued within 72 hours of application if no criminal background check is required, or within 120 hours if a criminal background check is required.

First sponsor: Rep. Rivero

Others: Rep. Andrade, Sen. Bradley, Rep. Campbell, Rep. Cardenas, Sen. Dial, Rep. Friese, Rep. Larkin, Rep. Lawrence, Rep. Townsend

H2520:PROFESSIONAL LICENSURE; RECIPROCITY; MILITARY SPOUSES 1/25 referred to House mil-pub.

## **H2521: PUBLIC SCHOOLS; ENROLLMENT INCENTIVES; PROHIBITION**

Public schools are prohibited from offering to a child or a parent any electronic device as an incentive to enroll a child at the school, regardless of whether the device was purchased with public monies or monies from a private source.

First sponsor: Rep. Otondo

Others: Rep. Alston, Rep. Fernandez, Rep. Friese, Rep. Rios

H2521:PUBLIC SCHOOLS; ENROLLMENT INCENTIVES; PROHIBITION 5/5 referred to House rules only.

## **H2522: DCS; INTAKE HOTLINE; REPORTS**

Except for criminal conduct allegations, the Department of Child Safety (DCS) is no longer required to prepare a "DCS report" (defined) if the suspected conduct occurred more than three years before the communication to the hotline and there is no information or indication that a child is currently being abused or neglected. The list of circumstances that must be alleged for a hotline worker to prepare a DCS report is modified to require the identity or current location of the child victim, the child's family or the person suspected of abuse or neglect to be known or reasonably ascertained. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Brophy McGee

Others: Rep. J. Allen, Rep. Carter, Rep. Weninger

H2522:DCS; INTAKE HOTLINE; REPORTS 5/17 signed by governor. Chap. 300, Laws 2016.

## **H2524: UNIFORM FIREARMS TRANSFER COMPACT**

The state of Arizona would have adopted and agreed to be bound by a uniform firearms transfer compact, which would have prohibited member states from enacting or enforcing any law, regulation or policy that would "impose any fee, tax, penalty, mandate or regulation governing, punishing, restricting, conditioning or otherwise burdening in any respect or at any time the transfer of firearms by any



person" in addition to then-existing federal law, with some exceptions. Any law, regulation or policy existing on the effective date of the compact which was in conflict with this prohibition would have been repealed and held for naught to the extent of the conflict. Would have provided for construction, enforcement, withdrawal from and severability of the compact. AS VETOED BY GOVERNOR. In his veto message, the Governor stated his commitment to safeguarding our liberties relating to firearms and his belief that there is no reason for Arizona to tie itself to other states' decisions on public policy relating to the transfer of firearms.

First sponsor: Rep. Thorpe

Others: Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Burges, Rep. Finchem, Sen. Kavanagh, Rep. Lawrence, Sen. Lesko, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Olson, Rep. Rivero, Rep. Shope, Sen. Smith

H2524:UNIFORM FIREARMS TRANSFER COMPACT 5/10 VETOED message.

## H2526: ANIMAL CONTROL; MANDATORY IMPOUND PERIODS

The minimum time period that a stray dog or cat impounded and not eligible for a sterilization program must be kept and maintained at the county pound is reduced to 48 hours, from 72 hours, except for an animal that is healthy, and animal that is sick or injured and treatable, and a dog that is surrendered by its owner. (The minimum time period of 120 hours for an animal that is impounded with a microchip or wearing a discernible form of owner identification remains in place).

First sponsor: Rep. Rivero

Others: Rep. Alston, Rep. Barton, Rep. Benally, Rep. Bolding, Rep. Brophy McGee, Rep. Campbell, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Lawrence, Rep. McCune Davis, Rep. Mendez, Rep. Plumlee, Rep. Rios, Rep. Saldate, Rep. Townsend, Rep. Ugenti-Rita, Rep. Velasquez

H2526:ANIMAL CONTROL; MANDATORY IMPOUND PERIODS 2/17 from House rural-econ with amend #4323.

## H2527: SCHOOLS; IMMUNIZATION RATE; WEBSITE POSTING

Each public school, including charter schools, that maintains a website is required to post on the website the immunization rate of students who are enrolled at that school.

First sponsor: Rep. Mendez

Others: Rep. Alston, Rep. Benally, Rep. Bowers, Rep. Clark, Sen. Dalessandro, Rep. Espinoza, Rep. Fann, Rep. Fernandez, Rep. Friese, Rep. Larkin, Rep. McCune Davis, Rep. Meyer, Rep. Rivero, Rep. Saldate, Rep. Thorpe

H2527:SCHOOLS; IMMUNIZATION RATE; WEBSITE POSTING 2/4 referred to House educ.

## H2529: SNAP; BENEFIT MATCH; FARMERS MARKETS

The Department of Economic Security is required to establish a fresh food bonus program for enrollees of the supplemental nutrition assistance program that provides matching monies for an enrollee who purchases fresh fruits and vegetables at a farmers' market using supplemental nutrition assistance program benefits. The program ends on July 1, 2026.

First sponsor: Rep. Mendez

Others: Rep. Alston, Rep. Andrade, Rep. Benally, Rep. Bolding, Rep. Boyer, Rep. Cardenas, Rep. Carter, Rep. Clark, Sen. Dalessandro, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Sen. Hobbs, Rep. Larkin, Rep. McCune Davis, Rep. Meyer, Rep. Otondo, Rep. Plumlee, Rep. Rios, Rep. Saldate, Rep. Thorpe, Rep. Velasquez

H2529:SNAP; BENEFIT MATCH; FARMERS MARKETS 2/4 referred to House agri-water-land.

#### **H2534: COUNTYWIDE ELECTIONS; VOTE BY MAIL**

On approval of the county board of supervisors, a county is authorized to conduct a mail ballot election for all elections administered by that county, including elections for federal and state offices and measures, and elections for county, municipal, school district and special districts. Counties that conduct mail ballot elections are required to report specified information about the election to the Legislature by January 1 of each year following a mail ballot election.

First sponsor: Rep. Shope

Others: Rep. Brophy McGee, Rep. Campbell, Rep. Coleman, Rep. Fann, Rep. Pratt

H2534:COUNTYWIDE ELECTIONS; VOTE BY MAIL 5/5 referred to House rules only.

#### **H2539: SEX OFFENDER REGISTRATION; PETITION; TERMINATION**

A defendant who is convicted of sexual conduct with a minor, who is required to register as a sex offender, and who successfully completes a term of probation may petition the court for an order to terminate any duty to register and must serve a copy of the petition on the prosecutor. In the petition, the defendant is required to avow, under penalty of perjury, that none of a list of specified factors applies. The court is required to deny the petition if the court finds that any of the factors applies, and may deny the petition if denial is in the best interests of justice or tends to ensure the safety of the public. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Bowers

H2539:SEX OFFENDER REGISTRATION; PETITION; TERMINATION 4/5 signed by governor. Chap. 105, Laws 2016.

#### **H2540: PROHIBITION; PHOTO RADAR**

State agencies and local authorities are prohibited from using a photo enforcement system to identify violators of traffic control devices and speed regulations. Statutes authorizing and regulating photo enforcement are repealed.

First sponsor: Rep. Townsend

Others: Rep. J. Allen, Rep. Boyer, Rep. Carter, Rep. Cobb, Rep. Finchem, Rep. Leach, Rep. Mesnard, Rep. Petersen, Rep. Rivero

H2540:PROHIBITION; PHOTO RADAR 3/3 House COW approved with floor amend #4784. FAILED to pass House 25-27.

#### **H2542: SCHOOLS; INSTRUCTIONAL MATERIALS; REVIEW**

Public schools are required to post a list of specified information on "instructional materials" (defined) on the website of the school district, school or charter school, listed by grade level and subject area. For all paper-based instructional materials that are not available digitally or cannot be posted due to copyright protections, the school district or charter school is required to provide at least five copies of the materials without charge to each public library and branch library located within the school district's geographic boundary or nearest to the charter school.

First sponsor: Rep. Finchem

Others: Rep. Borrelli, Rep. Cobb, Rep. Lawrence, Rep. Mitchell, Rep. Olson

H2542:SCHOOLS; INSTRUCTIONAL MATERIALS; REVIEW 1/27 referred to House educ.

#### **H2545: MINIMUM WAGE; ADJUSTMENT; UNIFORMITY**

Beginning January 1, 2017 and each fourth year after, the minimum wage must be adjusted to the minimum hourly rate necessary for a person who works for minimum wage for 40 hours per week, 52 weeks per year to earn an annual income in an amount that is at least 15 percent more than the federal poverty guideline for a family of 4 with 2 children who are under 18 years of age. Counties and municipalities are prohibited from providing for a minimum wage higher than that prescribed by statute, instead of a minimum wage lower than that prescribed by statute. Repeals statute prohibiting political subdivisions from establishing or otherwise requiring a minimum wage that exceeds the federal minimum wage. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Larkin

H2545:MINIMUM WAGE; ADJUSTMENT; UNIFORMITY 5/5 referred to House rules only.

#### **H2546: MINIMUM WAGE; FAST FOOD EMPLOYEES**

Establishes a separate minimum wage that a "fast food employer" is required to pay a "fast food employee" (both defined) of \$9.00 per hour for 2017, which increases by \$1.00 per hour each year until it reaches \$15.00 per hour in 2023 and beyond. If the cost of living increase to the minimum wage for all employees in Arizona would result in a minimum wage that is more than the minimum wage for a fast food employee established by this legislation, the minimum wage for a fast food employee is whichever wage is higher. Also repeals statute prohibiting political subdivisions from further regulating employee benefits beyond federal and state law. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Andrade

Others: Rep. Alston, Rep. Benally, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. McCune Davis, Rep. Mendez, Rep. Plumlee, Rep. Rios, Rep. Saldate, Rep. Steele, Rep. Velasquez

H2546:MINIMUM WAGE; FAST FOOD EMPLOYEES 5/5 referred to House rules only.

#### **H2547: UNIVERSITIES; IN-STATE TUITION; AMERICORPS**

A person who has participated in the Americorps program or the Volunteers in Service to America program for at least one year in Arizona is entitled to classification as an in-state student for tuition purposes. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Bowers

Others: Rep. Barton, Sen. Bradley, Rep. Cobb, Rep. Kopec, Rep. Lawrence, Rep. Mach, Rep. McCune Davis, Rep. Norgaard, Rep. Pratt, Rep. Rivero, Rep. Weninger, Rep. Wheeler

H2547:UNIVERSITIES; IN-STATE TUITION; AMERICORPS 3/11 signed by governor. Chap. 11, Laws 2016.

#### **H2551: SCHOOLS; BONDS; OVERRIDES; FUNDING SOURCES**

The information that must be contained in the report on proposed school district budget increases or school bonds (which is mailed to the households in which

qualified electors reside within the school district) is expanded to include a statement with the total dollar amount per pupil in revenues that the district received from all funding sources (federal, state and local) for all capital and noncapital expenditures for the most recent available fiscal year.

First sponsor: Rep. Lawrence

H2551:SCHOOLS; BONDS; OVERRIDES; FUNDING SOURCES 3/1 FAILED to pass House 27-32.

## **H2552: DELEGATION OF POWERS; PARENT; CUSTODIAN**

A parent or custodian of a child is permitted to delegate to an attorney-in-fact any of the powers regarding the care and custody of the child by a properly executed power of attorney, except the power to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child or the termination of parental rights to the child. The parent or custodian may revoke or withdraw the power of attorney at any time, and must execute a new power of attorney for each additional year that the parent or custodian wants to extend the delegation. The execution of a power of attorney does not constitute abandonment, abuse or neglect unless the parent or custodian fails to take custody of the child or execute a new power of attorney after the expiration. The attorney-in-fact is not subject to regulation or licensing as a child welfare agency or foster home. A private, nonprofit corporation that does not accept public monies and that assists parents with the process of delegating parental and legal custodial powers of their children, including assistance with identifying appropriate placements for their children, is not subject to regulation or licensing as a child welfare agency.

First sponsor: Rep. J. Allen

Others: Rep. Barton, Rep. Borrelli, Rep. Bowers, Rep. Coleman, Rep. Fann, Rep. Leach, Rep.

Livingston, Rep. Lovas, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Rivero, Rep. Townsend

H2552:DELEGATION OF POWERS; PARENT; CUSTODIAN 2/25 retained on House COW calendar.

## **H2559: ELIGIBILITY VERIFICATION; PUBLIC PROGRAMS**

The Department of Economic Security is required to establish through a third-party contract a computerized income, asset and identity eligibility verification system in order to verify eligibility, eliminate the duplication of assistance and deter waste, fraud and abuse within the Supplemental Nutrition Assistance Program and TANF cash assistance. The Dept is required to contract with a third-party vendor or vendors to develop a system or systems to verify applicant income, asset and identity information to prevent fraud, misrepresentation and inadequate documentation when determining an applicant's eligibility for assistance before the distribution of benefits, periodically between eligibility redeterminations and during eligibility redeterminations and reviews. Specific requirements for various aspects of the system are established. By July 1, 2017 and each year thereafter, the Dept is required to report to the Governor and the Legislature detailing the effectiveness and general findings of the system, and the report must include specified information, including the savings that have resulted from the system. Effective January 1, 2018.

First sponsor: Rep. Kern

H2559:ELIGIBILITY VERIFICATION; PUBLIC PROGRAMS 3/1 from House rules with a technical amendment.

## **H2569: EMPLOYMENT & LABOR OMNIBUS**

Various changes related to employment regulations. Employers are no longer permitted to pay employees who customarily and regularly receive tips a wage up to \$3 per hour less than the minimum wage if specified conditions are met. Employees accrue a minimum of one hour of earned sick time for every 30 hours worked. Situations where an employee may use earned sick time are specified, as well as provisions governing accrual, carry over, and transfer of earned sick time. The Industrial Commission is required to implement and enforce earned sick time regulations. Employers are prohibited from requiring nondisclosure by an employee of the employee's wage information as a condition of employment and from taking adverse employment action against an employee for disclosing the employee's wages. Employees are authorized to request a change in the terms and conditions of employment related to a list of specified factors, and the employer is required to engage in a timely, good-faith interactive process with the employee to discuss potential changes to meet the employee's needs. Establishes requirements for pay and schedule notice for retail, food service or cleaning employees. The Industrial Commission is required to issue an equal pay certificate to a business that meets specified qualifications, including that the average compensation for female employees is no consistently below the average compensation for male employees within each job category. Beginning January 1, 2017, a business that has at least 40 full-time employees in Arizona or in the state where the business's primary place of business is located is required to have an equal pay certificate or a waiver in order to be eligible to contract with any purchasing agency in Arizona for a procurement of more than \$500,000. Due to voter protection, the minimum wage provisions of this bill require the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Rep. Plumlee

Others: Rep. Mach, Rep. Rios, Rep. Velasquez

H2569:EMPLOYMENT & LABOR OMNIBUS 5/5 referred to House rules only.

## **H2570: LOCAL GOVERNMENT BONDS; BALLOT STATEMENT**

At an election for school district, municipal, county or special taxing district bonds, the ballot must include a statement that the issuance of the bonds will result in a property tax increase to pay debt service on the bonds, and that the increased tax will cost a specified amount annually for a home valued at the median full cash value of residential property in the appropriate jurisdiction. AS PASSED HOUSE.

First sponsor: Rep. J. Allen

H2570:LOCAL GOVERNMENT BONDS; BALLOT STATEMENT 3/15 from Senate rules okay.

## **H2578: BUDGET STABILIZATION FUND; DEPOSITS**

At the end of the fiscal year, the Budget Stabilization Fund balance cannot exceed 10 percent of general fund revenue for the FY, increased from 7 percent. Any monies above 10 percent must be transferred to the general fund.

First sponsor: Rep. Mesnard

Others: Rep. Leach, Rep. Olson, Rep. Weninger

H2578:BUDGET STABILIZATION FUND; DEPOSITS 4/5 from Senate rules okay.

## **H2580: ONLINE ELECTION INFORMATION; POSTING**

The Secretary of State is required to post the publicity pamphlet for initiative and referendum measures, the dates on which ballot measure filings are due, and the dates on which arguments advocating or opposing the measures are due on the Secretary of State's website as soon as is practicable. Arguments advocating or opposing a measure may be submitted electronically and in electronic format and the Secretary of State is required to provide for receipt of electronic submittals and electronic format documents.

First sponsor: Rep. Fries

Others: Rep. Clark

H2580:ONLINE ELECTION INFORMATION; POSTING 5/5 referred to House rules only.

## **H2582: STUDENT, TEACHER DATA COLLECTION; PROHIBITIONS**

The parent is the final authority in all matters of the parent's student's education, and written consent of the parent or guardian is required before any data collection. A state or national student assessment cannot be adopted or administered in Arizona that collects specified data. The State Board of Education, the Department of Education and any other state entity is prohibited from spending any monies on a statewide longitudinal data system designed to track students beyond grade 12 or compile personal, nonacademic information beyond what is necessary for specified functions. The Dept and any political subdivision is prohibited from sharing any personally identifiable information of students and teachers with the U.S. Department of Education unless a list of specified conditions occurs. More.

First sponsor: Rep. Lovas

Others: Rep. Livingston

H2582:STUDENT, TEACHER DATA COLLECTION; PROHIBITIONS 2/10 referred to House educ.

## **H2583: OPEN MEETINGS; AUDIOVISUAL RECORDINGS**

All public bodies are required to provide for a complete audiovisual recording of all their meetings, including executive sessions, and are required to post the audiovisual recording of a meeting on its website within 24 hours after the meeting.

First sponsor: Rep. Stevens

H2583:OPEN MEETINGS; AUDIOVISUAL RECORDINGS 2/29 House voted to reconsider in COW to further amend the bill and third read. House COW approved with amend #4383 and floor amend #4651. FAILED to pass House on reconsideration 28-31.

## **H2586: DEPENDENCY; HOUSEHOLDS; FELONY REPORTS**

The Department of Child Safety is required to adopt rules regarding the return of a child after a determination of dependency that include a requirement that DCS conduct a criminal background check of any member of the household to which the child will be returned and any person who has access to the home and unsupervised access to the child on a regular basis and of a biological parent of the child whose parental rights have not been terminated, if DCS has credible information or a reasonable suspicion that the member, person or parent has been arrested for, charged with or convicted of a felony offense that involved conduct that poses an imminent threat of danger to the child. If any criminal background check indicates

that a person has been arrested for, charged with or convicted of a felony offense that involved conduct that poses an imminent threat of danger to the child, the child cannot be returned if there is significant evidence that the alleged or convicted perpetrator's imminent threat to children cannot be reasonably mitigated by planning and action taken by DCS in partnership with the nonoffending parent, familial resources or providers. Factors that must be considered when determining the existence of an imminent threat of danger are specified. While a case remains open, the child's parent, guardian or custodian who is seeking the return of the child or to whom a child has been returned is required to notify DCS of any changes in the members of the household or in persons who have access to the home and unsupervised access to the child on a regular basis. A knowing violation of this requirement is a petty offense. AS PASSED HOUSE.

First sponsor: Rep. Brophy McGee

Others: Rep. J. Allen, Rep. Bowers, Rep. Carter

H2586:DEPENDENCY; HOUSEHOLDS; FELONY REPORTS 3/14 referred to Senate pub-mil-tech.

## **H2590: DUI; IGNITION INTERLOCK REQUIREMENT; DRUGS**

Conviction of driving a motor vehicle while under the influence of a drug and/or vapor releasing substance is removed from the list of grounds for mandatory revocation of a driver license. The Court is permitted, instead of required, to order a person convicted of a violation of driving under the influence (DUI) or aggravated DUI to equip any motor vehicle the person operates with a certified ignition interlock device. Effective January 1, 2017.

First sponsor: Rep. Borrelli

H2590:DUI; IGNITION INTERLOCK REQUIREMENT; DRUGS 2/8 referred to House jud.

## **H2591: CIVIL TRAFFIC VIOLATIONS; ALTERNATIVE SERVICE**

A person's driving privileges cannot be suspended or revoked as a result of a citation that is served by alternative service of process for a photo enforcement violation. Effective January 1, 2017. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Ugenti-Rita

H2591:CIVIL TRAFFIC VIOLATIONS; ALTERNATIVE SERVICE 5/19 signed by governor. Chap. no. awaited.

## **H2596: PUBLIC ASSISTANCE; LIMITATIONS; BENEFIT CARD**

The Department of Economic Security is prohibited from applying for, accepting or renewing any waiver of the requirements of federal law for the Supplemental Nutrition Assistance Program (SNAP), and is required to administer SNAP within specified limitations, including prohibiting the granting of categorical eligibility exempting households from the gross income standards requirements or resource limits and prohibiting the gross income standards for the Program from exceeding the standards specified in federal law. The Dept is required to set disqualification periods for all instances of noncompliance with any SNAP requirement, unless expressly prohibited by federal law. The list of places where a person who receives Temporary Assistance for Needy Families (TANF) cash assistance is prohibited from conducting an electronic benefit transfer (EBT) card transaction is expanded to include jewelry stores, tattoo or massage parlors, spas and nail salons, lingerie shops, tobacco or vapor cigarette stores, movie theaters, cruise ships, and theme parks. Also establishes a list of items that a person who receives TANF cash assistance is prohibited from using an EBT card for. Establishes penalties for

violations. Each EBT card issued by the Dept is required to have a color photograph of the recipient and the recipient's name on the card, unless the recipient declines to have the photograph included. The Dept is required to post on the Dept's website and make available on an annual basis to the Legislature a spending report of SNAP and TANF benefits. Information that must be included in the report is specified.

First sponsor: Rep. Olson

H2596:PUBLIC ASSISTANCE; LIMITATIONS; BENEFIT CARD 3/3 referred to Senate hel-hu ser, appro.

## **H2602: FIREWORKS; PERMITTED USES; REGULATION**

For the purpose of fireworks regulations, the definition of fireworks is expanded to include "full-line consumer fireworks" (defined), the definition of "permissible consumer fireworks" is expanded to include firecrackers, and the references to the National Fire Protection Association Code are updated to refer to the 2016 edition, instead of the 2013 edition. The list of transactions that are not prohibited by fireworks regulations is expanded to include the sale of full-line consumer fireworks to out-of-state residents and in-state residents who sign a document indicating that they will remove the fireworks from Arizona within 48 hours after the purchase. The use of full-line consumer fireworks is prohibited in Arizona without a permit issued by a local jurisdiction.

First sponsor: Rep. Borrelli

Others: Rep. Finchem, Sen. Pancrazi, Sen. Shooter

H2602:FIREWORKS; PERMITTED USES; REGULATION 2/18 FAILED House mil-pub 2-5.

## **H2604: WHITE COLLAR CRIME OFFENDER REGISTRY**

The Attorney General is required to establish and maintain a white collar crime offender registry website. The registry is required to include specified information for each convicted offender who is required to register. A person who has been convicted of any of a list of offenses, including several types of fraud, financial exploitation and money laundering, is required to register with the Attorney General. Some exceptions. An offender is permitted to petition the court for an order to remove the offender from the registry if specified conditions exist, including that five years have passed and the offender has not been convicted of any other crime. Appropriates \$100,000 from the general fund in FY2016-17 to the Attorney General to establish the registry.

First sponsor: Rep. McCune Davis

Others: Rep. Alston, Rep. Benally, Rep. Fernandez, Rep. Friese, Rep. Gonzales, Rep. Mendez, Rep. Meyer, Rep. Rios, Rep. Velasquez

H2604:WHITE COLLAR CRIME OFFENDER REGISTRY 5/5 referred to House rules only.

## **H2607: MISCONDUCT INVOLVING WEAPONS; FIREARM STORAGE**

The list of acts constituting misconduct involving weapons is expanded to include storing a firearm without using a lock and key or combination on the trigger of the firearm or placing the firearm in a securely locked box or other container. Misconduct involving weapons for these actions is a class 1 (highest) misdemeanor.

First sponsor: Rep. Fernandez

Others: Rep. Alston, Rep. Andrade, Sen. Begay, Rep. Benally, Rep. Bolding, Rep. Clark, Rep. Espinoza, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Kopec, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Rep. Mendez, Rep. Plumlee, Sen. Quezada, Rep. Rios, Rep. Velasquez



H2607:MISCONDUCT INVOLVING WEAPONS; FIREARM STORAGE 5/5 referred to House rules only.

### **H2611: MENTAL HEALTH; INJUNCTION; FIREARM POSSESSION**

An immediate family member or a peace officer is authorized to file a verified petition with a magistrate, justice of the peace or superior court judge for an injunction that prohibits a person from possessing, controlling, owning or receiving a firearm. Any court may issue or enforce a mental health injunction against firearm possession, regardless of the location of the person. Information that must be included in the petition is specified. If the court finds that there is clear and convincing evidence to issue a mental health injunction against firearm possession, the court must issue the injunction. Information that must be included in the injunction is specified. Provides for enforcement. More.

First sponsor: Rep. Frieze

Others: Rep. Benally, Rep. Fernandez, Rep. Gonzales, Rep. Hale, Rep. Kopec, Rep. Mach, Rep. Mendez, Rep. Velasquez

H2611:MENTAL HEALTH; INJUNCTION; FIREARM POSSESSION 5/5 referred to House rules only.

### **H2612: RENTAL PROPERTIES; PROHIBITED PENALTIES**

Landlords are prohibited from retaliating by increasing rent or decreasing services or by imposing a fee, assessment or other penalty on a tenant after the tenant or other person in the household has summoned law enforcement or other emergency services to the premises. Condo associations and HOAs are prohibited from imposing on a unit owner or member a fee, assessment or other penalty for accessing law enforcement or other emergency services. AS PASSED HOUSE.

First sponsor: Rep. Plumlee

Others: Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Frieze, Rep. Kopec, Rep. Larkin, Rep. McCune Davis

H2612:RENTAL PROPERTIES; PROHIBITED PENALTIES 5/7 referred to Senate rules.

### **H2615: CAMPUSES; FREE SPEECH ZONE; PROHIBITION**

Subject to reasonable time, place and manner restrictions, a community college or university is prohibited from limiting any area on campus where free speech may be exercised. A university or community college is prohibited from imposing restrictions on the time, place and manner of student speech that occurs in a "public forum" (defined) and is protected by the first amendment to the U.S. Constitution unless the restrictions are reasonable, are justified without reference to the content of the speech, are narrowly tailored to serve a significant governmental interest, and leave open ample alternative channels for communication of the information. The Attorney General or a student whose expressive rights were violation by a violation may bring an action in a court of competent jurisdiction to enjoin any violation or to recover reasonable court costs and attorney fees. If the court finds that a violation occurred the court is required to award the aggrieved person injunctive relief for the violation and is required to award reasonable court costs and attorney fees. A person is required to bring an action for a violation within one year after the date the cause of action accrues. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Kern

H2615:CAMPUSES; FREE SPEECH ZONE; PROHIBITION 5/16 signed by governor. Chap. 250, Laws 2016.

## **H2616: CLAIMS; PUBLIC AGENCY; INDEPENDENT ADJUSTER**

Any public officer of a public agency who has a personal or professional relationship with a person who has a substantial interest in any legal claim against the public agency is required to make known that relationship in the official agency records and refrain from voting or otherwise participating in any manner as an officer or employee in the legal claim. A public agency is required to refer any legal claim that is filed by a public officer or employee of that agency to an independent risk management claims adjuster to investigate and negotiate a settlement of the claim. AS PASSED HOUSE.

First sponsor: Rep. Kern

H2616:CLAIMS; PUBLIC AGENCY; INDEPENDENT ADJUSTER 3/7 referred to Senate gov.

## **H2618: MEDICAL MARIJUANA DISPENSARIES; LOCATION CHANGE**

After the Department of Health Services issues a registration certificate to a nonprofit medical marijuana dispensary, the dispensary is permitted to change its location or the cultivation site only to another location in the same community health analysis area as established by the Dept at the time the original registration certificate was issued, and the new dispensary is subject to the other requirements for a new dispensary. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Leach

H2618:MEDICAL MARIJUANA DISPENSARIES; LOCATION CHANGE 2/23 House COW approved.

## **H2619: INCOME TAX CREDIT; HISTORIC PRESERVATION**

For tax years 2017 through 2036, establishes an individual and corporate income tax credit for 20 percent of "qualified rehabilitation expenses" for the "substantial rehabilitation" of a "certified historic structure" (all defined) in the year that the structure or portion of the structure is placed in service. To qualify for the credit, the taxpayer is required to obtain both an initial certification and a final certification from the Arizona State Parks Board. If the allowable credit exceeds taxes due, the amount of the claim not used to offset taxes may be carried forward for up to 10 consecutive tax years. An applicant who does not claim the credit allowed, in whole or in part, may assign, transfer or sell the credits to any person, and the proceeds of the sale or transfer are exempt from income taxes.

First sponsor: Rep. Otondo

H2619:INCOME TAX CREDIT; HISTORIC PRESERVATION 5/5 referred to House rules only.

## **H2623: DISCLOSURE; LOBBYISTS; GIFTS; PUBLIC OFFICERS**

Lobbyists are prohibited from making an expenditure for a gift for a state officer or employee, and state officers and employees are prohibited from accepting a gift from a lobbyist. The exemptions for certain types of entertainment are deleted. Modifies expenditure reporting requirements for lobbyists, and expands the definition of "lobbying" to include attempting to influence legislation by communicating with the Governor or his/her staff. For the purpose of financial disclosures for public officers and candidates, the definition of "gift" is modified.

Additionally, public officer financial disclosure statements must be filed every six months, instead of annually, and the maximum amounts of compensation exempted from disclosure are reduced. Penalties for knowingly filing false or incomplete financial disclosures are increased. Financial disclosure statements must be filed electronically, and the Secretary of State is required to provide computer programs to accommodate electronic filings.

First sponsor: Rep. Meyer

H2623:DISCLOSURE; LOBBYISTS; GIFTS; PUBLIC OFFICERS 5/5 referred to House rules only.

## **H2635: MUNICIPALITIES; TAXES & FEES; NOTIFICATION**

A municipality that proposes to levy or assess a tax or fee is required to prepare a schedule of the proposed new or increased tax or fee that includes the amount of the tax or fee and a written report or data that supports the new or increased tax or fee, post the schedule and the report or data on the home page of the municipality's website, and file a copy of the report or data in the office of the clerk of the municipality. Some exceptions. A municipality that proposes to levy or assess a tax, assessment or fee is required to prepare a notice of intent to establish or increase taxes, assessments or fees that includes specified information, and post the notice of intent on the municipality's website at least 15 days before approval or disapproval by the governing body. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Weninger

H2635:MUNICIPALITIES; TAXES & FEES; NOTIFICATION 5/18 signed by governor. Chap. no. awaited.

## **H2649: PEACE OFFICER DATABASES; DISCIPLINARY ACTIONS**

The Arizona Peace Officer Standards and Training Board is required to establish and make available on its website a law enforcement officer database that includes the names and discipline record, if any, of every law enforcement agency that is conducting a background investigation of an applicant for the position of a law enforcement officer. Law enforcement agencies are required to check the database before hiring an applicant for the position of a law enforcement officer. Law enforcement agencies are required to report to the Board specified information within 10 days after a final ruling or determination on certain disciplinary actions of law enforcement officers. A person is authorized to bring an action in superior court to enforce these requirements.

First sponsor: Rep. Bolding

Others: Rep. Clark

H2649:PEACE OFFICER DATABASES; DISCIPLINARY ACTIONS 5/5 referred to House rules only.

## **H2650: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS**

If a law enforcement officer uses deadly physical force in the performance of official duties and that use causes the death of another person, an investigator or law enforcement officer who is not from the same law enforcement agency or the county attorney from another county is required to conduct the investigation into the officer's use of deadly physical force and provide the results of the investigation to the county attorney of the county in which the use of force occurred.

First sponsor: Rep. Clark

Others: Rep. Bolding

H2650:LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS 5/5 referred to House rules only.

#### **H2656: HOAS; CUMULATIVE VOTING; PROHIBITION**

Condominium associations and HOAs are prohibited from using cumulative voting.

First sponsor: Rep. Clark

Others: Rep. Finchem

H2656:HOAS; CUMULATIVE VOTING; PROHIBITION 3/1 House COW approved with floor amend [#4691](#) and [#4692](#).

#### **H2657: DISABILITY REMOVABLE WINDSHIELD PLACARDS**

Statute allowing a person who has permanent or temporary physical disabilities to obtain a permanent or temporary disability removable windshield placard applies whether or not the person is an owner or lessee of a motor vehicle.

First sponsor: Rep. Bolding

Others: Rep. Alston, Rep. Andrade, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Hale, Rep. Larkin, Rep. McCune Davis, Rep. Mendez, Rep. Meyer, Rep. Otondo, Rep. Rios

H2657:DISABILITY REMOVABLE WINDSHIELD PLACARDS 5/5 referred to House rules only.

#### **H2664: HEALTH CARE PROVIDERS; RELIGIOUS BELIEFS**

No later than 12 months after the effective date of this legislation, a health care entity that does not provide certain health care services based on the entity's religious beliefs is required to adopt a policy that provides a complete list of health care services that the entity will not provide to patients, before treatment is initiated, and the patient or patient's representative must acknowledge receipt of the notice. No later than 18 months after the effective date of this legislation, group health plan providers and health insurers are required to provide enrollees with a list of any health care entity within the provider's or insurer's network that does not provide certain health care services based on religious beliefs.

First sponsor: Rep. Frieze

Others: Rep. Cardenas, Rep. Fernandez, Rep. Gabaldon, Rep. Kopec, Rep. Mach, Rep. Plumlee, Rep. Rios, Rep. Wheeler

H2664:HEALTH CARE PROVIDERS; RELIGIOUS BELIEFS 5/5 referred to House rules only.

#### **H2665: CHARTER SCHOOLS; PREFERENCE; FOSTER CHILDREN**

Charter schools are authorized to give enrollment preference to children who are in foster care or meet the definition of "unaccompanied youth" under federal law. School districts are authorized to give enrollment preference to children who are in foster care. Establishes the Foster Youth Education Success Program in the Office of the Governor for the purpose of improving the educational outcomes of children in foster care. The Office of the Governor is required to establish policies and procedures, selection criteria and minimum performance standards for service providers that wish to participate in the Program. The Program terminates on July 1, 2026. Appropriates \$1 million from the general fund in FY2017-18 to the Office of the Governor for deposit in the newly established Youth Education Success Fund for the Program. Appropriates \$500,000 from the general fund in FY2017-18 to the Office of the Governor for deposit in the Fund and to be spent when matching amounts from sources other than the state are collected by the Office of the

Governor and deposited in the Fund. AS SIGNED BY GOVERNOR.

First sponsor: Rep. J. Allen

Others: Sen. S. Allen, Rep. Borrelli, Rep. Boyer, Sen. Bradley, Rep. Campbell, Rep. Carter, Rep. Coleman, Rep. Gray, Rep. Lawrence, Sen. Lesko, Rep. Lovas, Rep. Mach, Rep. Norgaard, Rep. Otondo, Sen. Pancrazi, Rep. Thorpe

H2665:CHARTER SCHOOLS; PREFERENCE; FOSTER CHILDREN 5/13 signed by governor. Chap. 248, Laws 2016.

## **H2677: PEACE OFFICER EMPLOYMENT; STUDY COMMITTEE**

Establishes a 16-member Peace Officer Employment Study Committee to research and report on peace officer staffing levels and recruitment and retention policies and practices and the impact these have on the rate of attrition and public safety. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2016, and self-repeals October 1, 2017. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Rivero

Others: Rep. Andrade, Rep. Boyer, Rep. Fann, Rep. Finchem, Rep. Gray, Rep. Lawrence, Sen. Lesko, Rep. Livingston, Rep. Mitchell, Rep. Montenegro, Rep. Shope

H2677:PEACE OFFICER EMPLOYMENT; STUDY COMMITTEE 5/17 signed by governor. Chap. no. awaited.

## **H2680: EMPLOYERS; EX-FELONS; INCOME TAX CREDITS**

For tax years 2017 through 2019, establishes an income tax credit for qualified employers who employ persons who are qualified ex-felons. The amount of the credit is 5 percent of the first \$6,000 in wages paid to each qualified employee who worked at least 120 but less than 400 hours during the tax year, and 10 percent of the first \$6,000 in wages paid to each qualified employee who worked at least 400 hours during the tax year. The aggregate maximum amount of credits is \$2 million per fiscal year. If the amount of the credit exceeds taxes due, the unused amount may be carried forward to up to five consecutive tax years. Self-repeals January 1, 2021.

First sponsor: Rep. Velasquez

Others: Rep. Andrade, Rep. Espinoza, Rep. Fernandez, Rep. Rios

H2680:EMPLOYERS; EX-FELONS; INCOME TAX CREDITS 5/5 referred to House rules only.

## **H2690: PAWNBROKER LICENSURE; DPS**

Responsibility for enforcement of regulations on pawn transactions and pawnbrokers is transferred to the Department of Public Safety (DPS), from local law enforcement agencies. Pawnbrokers must be licensed pursuant to rules adopted by DPS instead of by the county sheriff. Establishes a DPS Pawnbroker Licensing Fund and requires DPS to deposit monies collected from pawnbroker licensing fees in the Fund. Monies in the Fund are continuously appropriated to DPS to cover the costs of regulating the pawnbroker industry.

First sponsor: Rep. Gowan

H2690:PAWNBROKER LICENSURE; DPS 4/18 from Senate rules okay.

## **H2693: TPT CLASSES; INCOME TAX REDUCTION**

Levies a five percent transaction privilege tax (TPT) on personal services and financial services, which were previously exempt from state TPT. Personal services include beauty and nail salons, funeral and other death care, laundry and garment services, carpet cleaning, pet grooming, parking, home and auto maintenance and repair, personal accounting, photographic services, weight and fitness facilities, job training, child care, and other personal services. Financial services includes banks and credit unions, mortgage brokers, holding companies, investment companies, credit intermediation, trust and fiduciary activities, and all other financial investment activities. Beginning with tax year 2018, establishes new reduced income tax rates for all tax brackets. Also increases the subtraction from Arizona gross income for income tax purposes for net long-term capital gains to 37.5 percent, from 25 percent. Effective January 1, 2018.

First sponsor: Rep. Mitchell

Others: Rep. Campbell, Rep. Cobb, Rep. Finchem, Rep. Gonzales, Rep. Kern, Rep. Leach, Rep. Livingston, Rep. Montenegro

H2693:TPT CLASSES; INCOME TAX REDUCTION 2/10 referred to House ways-means.

## **H2694: HOTEL EMPLOYEES; ROOM ACCESS; BACKGROUNDS**

Before a hotel or motel owner or manager allows an employee to have access to the room of a registered guest, the owner or manager is required to check the state internet sex offender website and the U.S. Department of Justice national sex offender public website. If the employee appears on either website as a sex offender, the employee cannot have access to the room of a registered guest.

First sponsor: Rep. Montenegro

H2694:HOTEL EMPLOYEES; ROOM ACCESS; BACKGROUNDS 2/24 House appro held.

## **HCM2001: HEALTH INSURANCE TAX; REPEAL**

The Legislature urges the U.S. Congress to enact legislation to repeal the health insurance tax to make health care more affordable for working families, individuals and businesses. The Secretary of State is directed to transmit copies of this Memorial to the President of the U.S., the Speaker of the U.S. House of Representatives, the President of the U.S. Senate, and each member of Congress from Arizona. AS SENT TO SECRETARY OF STATE.

First sponsor: Rep. Leach

Others: Rep. Cobb, Rep. Norgaard

HCM2001:HEALTH INSURANCE TAX; REPEAL 2/15 substituted in Senate for identical SCR1002 and passed 17-11; to secretary of state.

## **HCR2001: ARIZONA VETERANS HALL OF FAME**

The members of the Legislature recognize the members of the Arizona military veterans community, support the men, women and families of our nation's military and our military veterans, recognize the deeds and accomplishments of those Arizona military veterans who have been inducted into the Arizona Veterans Hall of Fame, and recognize the Arizona Veterans Hall of Fame and support its endeavors to recognize these individuals. AS SENT TO SECRETARY OF STATE.

First sponsor: Rep. Borrelli

Others: Rep. Boyer, Rep. Cobb, Rep. Fann, Rep. Finchem

HCR2001:ARIZONA VETERANS HALL OF FAME 3/24 unanimously adopted by Senate; to secretary of state.

## **HCR2019: MEDICAL MARIJUANA**

The 2016 general election ballot is to carry the question of whether to amend state statute to make various changes relating to medical marijuana. A licensed naturopathic physician and a licensed homeopathic physician are removed from the definition of "physician" for medical marijuana. A registry identification card and registration certificate for a qualifying patient expire six months after the date of issue, at which time the patient must obtain a new written certification from the physician. A cardholder who sells or transfers marijuana to a person who is under 18 years of age will have the cardholder's registry identification card permanently revoked and may be guilty of a class 2 (second-highest) felony for involving or using minors in drug offenses.

First sponsor: Rep. Lawrence

Others: Rep. Boyer, Rep. Mitchell, Rep. Thorpe

HCR2019: MEDICAL MARIJUANA 1/21 referred to House jud.

## **S1002: LICENSE PLATE COVERS; PROHIBITION**

Unless authorized by the Department of Transportation, it is illegal to apply any covering or substance to a license plate or use an electronic device or film that obscures from any angle the numbers, characters, year validating tabs or name of the jurisdiction issuing a license plate.

First sponsor: Sen. Farley

S1002:LICENSE PLATE COVERS; PROHIBITION 1/11 referred to Senate trans, gov.

## **S1004: GARDEN PRODUCE; REGULATORY EXEMPTION**

The list of food that must be exempt from specified food-related Arizona Department of Health rules is expanded to include: a whole fruit or vegetable grown in a home garden, public school garden, food establishment garden or community garden; a whole fruit or vegetable offered for commercial or noncommercial purposes at a farmers' market; and commercially prepackaged food that is offered at a public or private school facility. Any rule adopted by a county department relating to food must provide the same exemptions. AS PASSED SENATE.

First sponsor: Sen. D. Farnsworth

Others: Sen. Begay, Rep. Boyer, Sen. Bradley, Rep. Cobb, Sen. Farley, Sen. Kavanagh, Rep. Lawrence, Sen. Miranda, Rep. Norgaard, Rep. Otondo, Rep. Petersen, Sen. Sherwood, Sen. Shooter, Rep. Thorpe, Rep. Townsend

S1004:GARDEN PRODUCE; REGULATORY EXEMPTION 3/2 referred to House agri-water-land.

## **S1007: DRIVER LICENSES; AUTOMATIC VOTER REGISTRATION**

Beginning January 1, 2017, every person who is applying for a driver license or renewal and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register.

First sponsor: Sen. Sherwood

S1007:DRIVER LICENSES; AUTOMATIC VOTER REGISTRATION 1/11 referred to Senate gov, jud, fed-man-fiscal.

### **S1011: ANIMAL ABUSER REGISTRATION; REGISTRY**

An adult who has been convicted of cruelty to animals or other related offenses must register with the county sheriff within 10 days after the conviction or after entering and remaining in that county. The Department of Public Safety is required to maintain a central animal abuser registry with the names and registration information of every person required to register.

First sponsor: Sen. Sherwood

Others: Sen. Farley

S1011:ANIMAL ABUSER REGISTRATION; REGISTRY 1/11 referred to Senate jud, nat res, appro.

### **S1015: SCHOOLS; CLASS SIZE REDUCTION GRANTS**

The State Board of Education is required to establish a class size reduction and teacher retention program to reduce class sizes to between 15 and 22 students per classroom in grades K-3 in participating school districts. The Board is required to adopt rules for application and eligibility requirements. Beginning in FY2018-19, \$1 million is appropriated from the general fund each FY to the Department of Education to distribute in the form of grants to school districts participating in the program. The Board is required to submit an annual report on the program to the Governor and the Legislature by September 1. Information that must be included in the report is specified. The program terminates on January 1, 2024.

First sponsor: Sen. Sherwood

S1015:SCHOOLS; CLASS SIZE REDUCTION GRANTS 1/11 referred to Senate educ, appro.

### **S1019: SCHOOL INSTRUCTION; AIDS; HOMOSEXUALITY**

School districts are no longer prohibiting from including any instruction which promotes a homosexual lifestyle, portrays homosexuality as a positive alternative lifestyle, or suggests that some methods of sex are safe methods of homosexual sex as part of that district's instruction on AIDS.

First sponsor: Sen. Quezada

Others: Rep. Alston, Rep. Andrade, Rep. Bolding, Rep. Cardenas, Sen. Dalessandro, Rep. Espinoza, Rep. Gonzales, Sen. Hobbs, Rep. Larkin, Rep. Mach, Rep. Mendez, Rep. Rios, Sen. Sherwood, Rep. Velasquez

S1019:SCHOOL INSTRUCTION; AIDS; HOMOSEXUALITY 1/11 referred to Senate educ.

### **S1020: SEX EDUCATION PROGRAMS; REQUIREMENTS**

School districts are required to provide sex education in kindergarten and grades 1 through 12 that is "medically accurate" and "age-appropriate" (defined). Requirements for sex education instruction are established. School districts must adopt procedures to allow a school district to provide sex education unless the student's parent provides a written objection.

First sponsor: Sen. Sherwood

Others: Sen. Cajero Bedford, Rep. Cardenas, Rep. Friese, Sen. Hobbs, Sen. Quezada

S1020:SEX EDUCATION PROGRAMS; REQUIREMENTS 1/11 referred to Senate educ.



### **S1023: AZ ARTS ENDOWMENT FUND; APPROPRIATION**

Appropriates \$20 million from the general fund in FY2016-17 to the Arizona Arts Endowment Fund.

First sponsor: Sen. Farley

S1023:AZ ARTS ENDOWMENT FUND; APPROPRIATION 5/7referred to Senate rules.

### **S1024: SCHOOLS; PROHIBITED COURSES; REPEAL**

Repeals statute prohibiting school districts or charter schools from offering classes that promote the overthrow of the U.S. government, promote resentment toward a race or class of people, are designed primarily for students of a particular ethnic group or advocate ethnic solidarity.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1024:SCHOOLS; PROHIBITED COURSES; REPEAL 1/11 referred to Senate educ.

### **S1025: DRIVER LICENSES; AUTHORIZED PRESENCE REPEAL**

The Department of Transportation is no longer prohibited from issuing or renewing a driver license for a person who does not submit proof that the applicant's presence in the U.S. is authorized under federal law.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1025:DRIVER LICENSES; AUTHORIZED PRESENCE REPEAL 1/11 referred to Senate trans, pub-mil-tech, gov.

### **S1027: PRESIDENTIAL PREFERENCE ELECTION; INDEPENDENT VOTERS**

Voters registered without a political party designation may vote in the presidential preference election and may select the ballot of any political party at that election.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1027:PRESIDENTIAL PREFERENCE ELECTION; INDEPENDENT VOTERS 1/11 referred to Senate gov, fed-man-fiscal.

### **S1028: EARLY VOTING LOCATIONS; EXTENDED HOURS**

On-site early voting locations are required to be open until 7:00 PM each business day during the early voting period through the Monday preceding election day (instead of until 5:00 PM through the Friday preceding election day), and must also be open on Saturdays and Sundays until 7:00 PM during the two weekends immediately preceding election day.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1028:EARLY VOTING LOCATIONS; EXTENDED HOURS 1/11 referred to Senate gov, appro.

### **S1029: VOTER REGISTRATION; SOCIAL SECURITY NUMBER**

The list of items that constitute satisfactory evidence of U.S. citizenship for voter registration is expanded to include verification of the last four digits of the applicant's social security number. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1029:VOTER REGISTRATION; SOCIAL SECURITY NUMBER 1/11 referred to Senate gov.

### **S1030: PERMANENT EARLY VOTING; BALLOTS; VERIFICATION**

If a voter who is listed as having applied for an early ballot states that s/he has not voted and will not vote an early ballot or surrenders the early ballot to the precinct inspector and is allowed to vote, that ballot must be labeled as a permanent early voting list verification ballot.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1030:PERMANENT EARLY VOTING; BALLOTS; VERIFICATION 1/11 referred to Senate gov.

### **S1032: ELECTION PROCEDURES; WORKERS; PRECINCTS; PROVISIONALS**

Various changes relating to election procedures. County boards of supervisors are required to designate at least 1/2 of the total number of the county's precincts for the use of electronic media poll lists, registers and signature rosters, and are required, instead of permitted, to authorize the use of voting centers in place of or in addition to specifically designated polling places. Each polling place is required to provide a separate line for voters who are voting by provisional ballot. Before the appointment of election workers, the county officer in charge of elections is required to determine whether each precinct is likely to comply with a 30 minute maximum allowable wait time and consider implementing a plan to comply that incorporates bilingual board workers and revisions to precinct lines and locations of polling places.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1032:ELECTION PROCEDURES; WORKERS; PRECINCTS; PROVISIONALS 1/11 referred to Senate gov, appro.

### **S1033: VOTING RIGHTS; RESTORATION; FELONIES**

For a person who has been convicted of two or more felonies, the person's right to vote is automatically restored on completion of probation or absolute discharge from imprisonment.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1033:VOTING RIGHTS; RESTORATION; FELONIES 1/11 referred to Senate gov, jud.

#### **S1034: VOTER ID; PROOF OF CITIZENSHIP**

Deletes the requirement for applications for voter registration to be accompanied by satisfactory evidence of U.S. citizenship. Deletes the requirement for a voter to present specified identification at a polling place. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Sen. Quezada

Others: Rep. Andrade

S1034:VOTER ID; PROOF OF CITIZENSHIP 1/11 referred to Senate gov.

#### **S1039: JURY SERVICE; EXCUSE; GRAND JURY (~~JURY SERVICE; EIGHT-YEAR EXEMPTION~~)**

On timely application to the court, a person who has served on a grand jury in Arizona is required to be excused temporarily from service as a juror for four years after the person's last day of service on the grand jury. Does not apply to a person selected as an alternate grand juror. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Kavanagh

S1039:JURY SERVICE; EXCUSE; GRAND JURY 5/6 signed by governor. Chap. 106, Laws 2016.

#### **S1050: FOOD PRODUCERS; PROHIBITED ORDINANCES**

Producers of food products in residential and community gardens cannot be denied or restricted the right to sell and dispose of their products except as already provided in statute for owners, proprietors and tenants of agricultural lands, orchards, farms and gardens. Municipalities are prohibited from denying or restricting a producer of food products on agricultural lands and farms and in gardens, including residential and community gardens, from the right to produce food products, except as provided by state statute.

First sponsor: Sen. D. Farnsworth

Others: Sen. S. Allen, Sen. Barto, Sen. Begay, Sen. Biggs, Rep. Bolding, Rep. Borrelli, Sen. Burges, Rep. Cardenas, Rep. Lawrence, Sen. Lesko, Sen. Shooter, Rep. Townsend

S1050:FOOD PRODUCERS; PROHIBITED ORDINANCES 1/11 referred to Senate gov.

#### **S1051: SCHOOLS; TRANSFER STUDENTS; COMPETENCY REQUIREMENTS**

If a student transfers into a school district or charter school and subsequently does not meet the competency requirements for the promotion of students from the 3rd or 8th grade or for graduation from high school, the school, school district or charter school into which the student transferred is not required to report or count that student's failure to be promoted unless the student continues to not meet the competency requirements for one year after the original failure.

First sponsor: Rep. Andrade

S1051:SCHOOLS; TRANSFER STUDENTS; COMPETENCY REQUIREMENTS 1/11 referred to Senate educ.

#### **S1054: LAW ENFORCEMENT ACTIVITY; RECORDING PROHIBITION**

It is a petty offense for a person to knowingly make a video recording of law enforcement activity if the person making the video does not have the permission of

a law enforcement officer and is within 20 feet of where the law enforcement activity is occurring. If a person fails to comply with a verbal warning of a violation or has previously been convicted of a violation, the penalty is increased to a class 3 (lowest) misdemeanor.

First sponsor: Sen. Kavanagh

S1054:LAW ENFORCEMENT ACTIVITY; RECORDING PROHIBITION 1/11 referred to Senate pub-mil-tech.

### **S1055: SCHOOLS; COMPUTER CODING INSTRUCTION**

Each school district and charter school must require all students in grades 4 through 12 to participate in at least one hour of interactive computer instruction designed to expose students to reading, understanding and writing computer code that is offered by a nationally recognized nonprofit organization devoted to expanding access to computer science. A school district or charter school may exempt a child with a disability in specified circumstances. A school district or charter school may apply to the Superintendent of Public Instruction for a full or partial waiver of this requirement if computer infrastructure is insufficient to comply.

First sponsor: Sen. Kavanagh

S1055:SCHOOLS; COMPUTER CODING INSTRUCTION 3/17 from House educ do pass on reconsideration.

### **S1058: LANDLORD-TENANT RELATIONSHIP; UNLAWFUL OCCUPANTS**

For any person who is an "unlawful occupant" (defined) of a residence, a landlord may deliver in hand or conspicuously post on the premises written notice that the occupant's presence is unlawful and that the landlord is seeking the unlawful occupant's immediate removal by court order. On delivery of written notice, the landlord may institute a special detainer action that seeks the immediate removal of the unlawful occupant, the payment of costs and the payment of quantifiable damage to the premises caused by the unlawful occupant.

First sponsor: Sen. Kavanagh

S1058:LANDLORD-TENANT RELATIONSHIP; UNLAWFUL OCCUPANTS 1/11 referred to Senate com-work dev.

### **S1073: VOTER REGISTRATION; SAME DAY**

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the election. A person who is otherwise qualified to register to vote may register on Election Day at the polling place for the precinct in which that person maintains residence. A person who registers to vote under these provisions may vote only with a provisional ballot and does not qualify a person to vote in a partisan primary election.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1073:VOTER REGISTRATION; SAME DAY 1/12 referred to Senate gov, jud.

## **S1074: VOTER IDENTIFICATION; VA; STUDENT IDENTIFICATION**

The list of valid forms of identification that voters may present in order to obtain a ballot is expanded to include a valid veterans administration health identification card and a valid identification card issued by an accredited postsecondary educational institution in Arizona. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1074:VOTER IDENTIFICATION; VA; STUDENT IDENTIFICATION 1/12 referred to Senate gov, jud, pub-mil-tech.

## **S1075: STATEWIDE VOTER REGISTRATION PORTABILITY**

If a voter has moved from the address at which the voter is registered to a different county and has failed to reregister at the new address before the date of an election, the voter must be permitted to correct the statewide voter registration records for the purpose of voting in future elections and must be permitted to vote a provisional ballot.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1075:STATEWIDE VOTER REGISTRATION PORTABILITY 1/12 referred to Senate gov, jud.

## **S1076: PROVISIONAL BALLOTS; RESIDENCE; PARTIAL TABULATION**

If a precinct election board verifies that a voter's residence address is not within the precinct, the voter must be directed to the correct precinct. If the voter refuses to go to the correct precinct, the election board is required to provide a provisional ballot to that elector with a warning that a portion of the ballot will not be counted if the voter votes in the wrong precinct. The Secretary of State is required to design a provisional ballot envelope template that includes signature lines for the voter and the election board official to affirm that the recorded precinct and the warning were communicated. If the voter cast a provisional ballot in the correct county but the incorrect precinct, the votes on the ballot that the voter would have been eligible to cast must be counted.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1076:PROVISIONAL BALLOTS; RESIDENCE; PARTIAL TABULATION 1/12 referred to Senate gov, jud.

## **S1077: PROVISIONAL BALLOTS; VERIFICATION; TALLY**

For any prospective voter who appears at an incorrect polling place, the board worker at that polling place is required to complete a form in duplicate that contains the name of the precinct where the voter appeared and the name and location of the voter's correct precinct and polling place, keep a copy of the form and provide a copy to the voter. The voter must present the form at the polling place where s/he was directed to appear and vote a provisional ballot. On completion of the verification process for that voter's provisional ballot, if the voter was directed to the incorrect precinct, the ballot is counted only for those candidates that are not

precinct specific.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1077:PROVISIONAL BALLOTS; VERIFICATION; TALLY 1/12 referred to Senate gov, jud.

### **S1078: PROVISIONAL BALLOTS; TALLY; VERIFICATION**

For a voter who casts a provisional ballot in an incorrect precinct, the county recorder is required to count that person's votes for candidates and ballot measures for which the person was entitled to vote but cannot count the votes for which that person was not entitled to vote, as determined by that person's residence.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1078:PROVISIONAL BALLOTS; TALLY; VERIFICATION 1/12 referred to Senate gov, jud.

### **S1079: VOTER REGISTRATION DEADLINES; REGISTRATION METHOD**

The deadline to register to vote in order to be eligible to vote in an election is modified so that the voter registration may be dated 29 days or more before the election and received by first class mail within 5 days after the last day to register to vote, completed in person at a county recorder's office before midnight on the 14th day before the election, electronically generated and transmitted to the Department of Transportation before midnight on the 14th day before the election, or submitted by other means and dated 29 days or more before the election, if the registration is received by the county recorder by 7:00 PM on the day of the election. Previously, the registration had to be received by the county recorder by midnight of the 29th day before the election.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1079:VOTER REGISTRATION DEADLINES; REGISTRATION METHOD 1/12 referred to Senate gov, trans, jud.

### **S1080: EARLY BALLOT; ELECTION DAY POSTMARK**

An early ballot and affidavit that is postmarked by U.S. mail by the election day is valid and must be counted.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1080:EARLY BALLOT; ELECTION DAY POSTMARK 1/12 referred to Senate gov, jud.

### **S1081: EARLY BALLOTS; VERIFICATION; CURE**

The county recorder or officer in charge of elections is required to provide for a method of notifying an early ballot voter if there is a defect in the voter's ballot materials that will result in the rejection of the voter's ballot and allow the voter to attempt to cure the defect within the 10 days immediately following election day. The county recorder or officer in charge of elections is required to tabulate the ballot as otherwise provided by law and to further notify the voter whether the ballot was

verified and counted.

First sponsor: Sen. Quezada

Others: Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1081:EARLY BALLOTS; VERIFICATION; CURE 1/12 referred to Senate gov, appro.

### **S1088: SECURED RESIDENTIAL COMMUNITIES; PROCESS SERVERS**

Homeowners associations and condominium associations or their agents and owners or managing agents of a gated or secured apartment community are required to allow a process server to access the gated or secured areas of the community in order to serve process. A security guard or other employee or agent of the community or association is prohibited from notifying the person who lives in the community that a process server is attempting to serve that person with service of process. The Attorney General or the county attorney is authorized to enforce these requirements and to assess a civil penalty of up to \$250 per violation.

First sponsor: Sen. Kavanagh

S1088:SECURED RESIDENTIAL COMMUNITIES; PROCESS SERVERS 2/16 FAILED to pass Senate 9-18.

### **S1106: FOOD STAMP BENEFITS; UNLAWFUL USE**

The list of acts constituting unlawful use of food stamps, a class 5 (second lowest) felony, is expanded to include if a person knowingly buys, sells, transfers, acquires or redeems food stamps or "eligible food" (defined) purchased with food stamps in exchange for cash or consideration other than eligible food. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Barto

S1106:FOOD STAMP BENEFITS; UNLAWFUL USE 3/14 signed by governor. Chap. 20, Laws 2016.

### **S1108: APPLICATION FOR PUBLIC ASSISTANCE; REQUIREMENTS**

An application for any public assistance or service governed by Title 46 (Welfare) may bear the applicant's electronic signature, and the applicant's signature is no longer required to be witnessed. The application must include a statement by the applicant certifying that the contents of the application are true under penalty of perjury, instead of being required to be verified by the oath of the applicant. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Barto

S1108:APPLICATION FOR PUBLIC ASSISTANCE; REQUIREMENTS 3/14 signed by governor. Chap. 21, Laws 2016.

### **S1122: UNIVERSITIES; IN-STATE TUITION; AMERICORPS**

A person who has participated in the Americorps program or the Volunteers in Service to America program for at least one year in Arizona is entitled to classification as an in-state student for tuition purposes.

First sponsor: Sen. Bradley

Others: Rep. J. Allen, Sen. Barto, Sen. Begay, Sen. Yee

S1122:UNIVERSITIES; IN-STATE TUITION; AMERICORPS 3/8 Senate COW approved. See H2547.

### **S1123: UNIVERSITIES; IN-STATE TUITION; REFUGEES**

A person who currently resides in Arizona and who provides documentation that the person has been granted refugee status by the U.S. government is entitled to classification as an in-state student for tuition purposes. The requirement that a person be domiciled in Arizona for one year before enrollment to qualify for in-state tuition classification does not apply to such persons.

First sponsor: Sen. Farley

Others: Sen. S. Allen, Sen. Donahue

S1123:UNIVERSITIES; IN-STATE TUITION; REFUGEES 1/14 referred to Senate educ, appro.

### **S1124: CONSULAR ID CARDS; PROHIBITION; REPEAL**

The state and its political subdivisions are no longer prohibited from accepting a consular identification card issued by a foreign government as a valid form of identification.

First sponsor: Sen. Miranda

Others: Rep. Espinoza, Sen. Meza, Sen. Pancrazi

S1124:CONSULAR ID CARDS; PROHIBITION; REPEAL 1/14 referred to Senate gov.

### **S1127: CAPITAL PUNISHMENT STUDY COMMITTEE**

Establishes a 19-member Capital Punishment Study Committee to conduct a thorough study of all matters relating to the administration of capital punishment and submit a report of its findings and recommendations to the Governor and the Legislature by December 1, 2016. Self-repeals January 1, 2017.

First sponsor: Sen. Bradley

Others: Sen. Dalessandro, Sen. Farley, Sen. Hobbs

S1127:CAPITAL PUNISHMENT STUDY COMMITTEE 1/19 referred to Senate gov, jud.

### **S1128: DOMESTIC VIOLENCE OFFENDERS; FIREARMS; SEIZURE**

The court is required to order a person placed on probation for a domestic violence offense to transfer, for the duration of the probation, any firearms the person owns or possesses to the appropriate law enforcement agency within 24 hours are sentencing, or to provide the agency with an affidavit certifying that the person does not own or possess a firearm. The court must provide a copy of the order to the appropriate law enforcement agency, and if the agency has not received an affidavit or any firearms from the person within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate. If a court orders a defendant who is subject to an order of protection to transfer a firearm to the appropriate law enforcement agency and the firearm is not transferred to the agency within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate, to retrieve the firearm.

First sponsor: Sen. Bradley

Others: Sen. Begay, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Rep. Frieze, Sen. Hobbs, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood

S1128:DOMESTIC VIOLENCE OFFENDERS; FIREARMS; SEIZURE 1/19 referred to Senate jud, gov.



### **S1129: DEATH PENALTY; REPEAL**

Repeals the death penalty, the Capital Postconviction Public Defender Office, and all related statutes. Crimes currently punishable by death are punishable by natural life imprisonment. If the court imposes a natural life sentence, the court is required to order that the defendant not be released on any basis for the remainder of the defendant's natural life. As session law, the Supreme Court is required to remand each case in which a sentence of death was imposed before the effective date of this legislation to the court in the appropriate county, where that court must strike the death sentence and enter in its place a sentence of natural life, which is not subject to commutation, parole, community supervision, work furlough or work release.

First sponsor: Sen. Bradley

Others: Sen. Contreras, Sen. Dalessandro, Sen. Hobbs

S1129: DEATH PENALTY; REPEAL 1/19 referred to Senate jud, gov.

### **S1134: SCHOOLS; COMPULSORY ATTENDANCE AGE; INCREASE**

School attendance is mandatory for children if they are between 6 and 18 years of age (formerly, between 6 and 16) unless the child has obtain a high school diploma or G.E.D. or has graduated from a home school program.

First sponsor: Sen. McGuire

Others: Sen. S. Allen, Sen. Dalessandro, Sen. Hobbs, Sen. Miranda, Sen. Quezada, Sen. Shooter

S1134: SCHOOLS; COMPULSORY ATTENDANCE AGE; INCREASE 1/19 referred to Senate educ, appro.

### **S1135: TEXTING WHILE DRIVING; TRANSPORTATION VEHICLES**

A person is prohibited from using a handheld wireless communication device to make or receive a telephone call, engage in a telephone conversation or manually write, send or read a written message while operating a vehicle for public transit, a livery vehicle, taxi, limousine, transportation network vehicle or a bus. Does not apply to dialing 911.

First sponsor: Sen. McGuire

Others: Rep. Andrade, Sen. Dalessandro, Sen. Hobbs, Sen. Miranda, Rep. Otondo

S1135: TEXTING WHILE DRIVING; TRANSPORTATION VEHICLES 1/19 referred to Senate trans, gov, pub-mil-tech.

### **S1136: TERMINALLY ILL; CARE CHOICES**

An adult who is an Arizona resident and who has been determined by to be suffering from a terminal disease is permitted to make a written request for medication to end the patient's life. Establishes a process for the request, including a requirement for it to be signed and witnessed by at least two persons who meet specified requirements. Also establishes required procedures for the attending physician and a consulting physician. Requires a 15-day waiting period and provides for effect on construction of wills and contracts. Specifies immunities and civil penalties for violations. Severability clause.

First sponsor: Sen. McGuire

Others: Rep. Andrade, Sen. Dalessandro, Sen. Hobbs

S1136: TERMINALLY ILL; CARE CHOICES 1/19 referred to Senate hel-hu ser.

### **S1138: CASH ASSISTANCE; LIFETIME LIMIT**

Effective July 1, 2016, a needy family is ineligible for Temporary Assistance for Needy Families cash assistance, except in case of hardship, if the needy family includes a head of household or spouse who has received cash assistance for himself or on behalf of a dependent child for a total of 24 months, increased from 12 months. Cash assistance will terminate on August 1, 2016 for any family that has received 24 or more months of cash assistance as of that date. Retroactive to July 1, 2016.

First sponsor: Sen. Hobbs

Others: Rep. Alston, Rep. Andrade, Rep. Benally, Rep. Bolding, Sen. Bradley, Sen. Cajero Bedford, Rep. Cardenas, Rep. Clark, Sen. Contreras, Sen. Dalessandro, Rep. Espinoza, Sen. Farley, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Sen. McGuire, Rep. Mendez, Rep. Meyer, Sen. Meza, Sen. Miranda, Rep. Otondo, Sen. Pancrazi, Rep. Plumlee, Sen. Quezada, Rep. Rios, Rep. Saldade, Sen. Sherwood, Rep. Velasquez, Rep. Wheeler

S1138:CASH ASSISTANCE; LIFETIME LIMIT 1/19 referred to Senate hel-hu ser, appro.

### **S1140: FOWL REGULATIONS; PROHIBITION**

Municipalities are prohibited from adopting a zoning ordinance that prohibits a resident of a single-family detached residence from keeping fowl in the backyard of the property. Municipalities may restrict the number of fowl and may prohibit or restrict a male fowl unless the male fowl is incapable of making noise. This legislation preempts all local laws, ordinances and charter provisions to the contrary.

First sponsor: Sen. D. Farnsworth

Others: Sen. S. Allen, Sen. Begay, Rep. Bowers, Sen. Burges, Rep. Campbell, Rep. Cobb, Sen. Hobbs, Sen. Lesko, Sen. McGuire, Sen. Shooter, Rep. Townsend, Sen. Worsley

S1140:FOWL REGULATIONS; PROHIBITION 1/19 referred to Senate gov.

### **S1143: INTERNET CRIMES AGAINST CHILDREN; APPROP**

Appropriates \$1.8 million from the Internet Crimes Against Children Enforcement Fund in FY2015-16 to the Attorney General to continue the operation of the federally recognized internet crimes against children task force program. Emergency clause.

First sponsor: Sen. Driggs

Others: Rep. J. Allen, Sen. S. Allen, Sen. Barto, Rep. Barton, Sen. Begay, Rep. Brophy McGee, Rep. Campbell, Rep. Carter, Rep. Cobb, Rep. Coleman, Rep. Fann, Sen. Hobbs, Rep. Kern, Rep. Lawrence, Sen. Lesko, Rep. Livingston, Rep. Mach, Rep. Rios, Rep. Shope, Rep. Townsend, Rep. Weninger

S1143:INTERNET CRIMES AGAINST CHILDREN; APPROP 2/8 see H2468.

### **S1157: SMALL PROPERTY TAX BALANCE DELIQUENCY**

If the total amount of property taxes is \$100 or less, the entire amount that is unpaid become delinquent after December 31 at 5:00 PM, instead of after November 1 at 5:00 PM. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Burges

Others: Sen. S. Allen, Sen. Donahue, Rep. Gray, Sen. Kavanagh, Rep. Kern, Rep. Lawrence, Sen. Lesko, Rep. Livingston, Rep. Lovas, Sen. McGuire, Sen. Meza, Rep. Mitchell

S1157:SMALL PROPERTY TAX BALANCE DELIQUENCY 5/17 signed by governor. Chap. 144, Laws 2016.

### **S1162: ALARM INDUSTRY; FINGERPRINT REQUIREMENTS**

Alarm agent certificate holders are required to have a valid fingerprint clearance card, and the Board of Technical Registration is required to verify the status of the card every three years. Each controlling person of an alarm business is required to obtain a certificate from the Board, and each controlling person is required to have a valid fingerprint clearance card.

First sponsor: Sen. Kavanagh

S1162:ALARM INDUSTRY; FINGERPRINT REQUIREMENTS 3/17 FAILED House mil-pub 0-7.

### **S1165: NATIONAL POPULAR VOTE; INTERSTATE AGREEMENT**

Establishes an agreement among the states to elect the U.S. President by national popular vote.

First sponsor: Sen. McGuire

Others: Sen. S. Allen, Sen. Contreras, Sen. Dalessandro, Sen. Shooter

S1165:NATIONAL POPULAR VOTE; INTERSTATE AGREEMENT 5/7 referred to Senate rules.

### **S1166: SERVICE ANIMALS; CERTIFICATION; REGISTRATION; IDENTIFICATION**

A service animal is required to be "under the control of the service animal's handler" (defined). The list of reasons a service animal may be excluded from a public place is expanded to include that the animal is out of control and the animal's handler does not take effective action to control the animal, and that the animal is not housebroken. If a public place asks an individual to remove a service animal due to one of the authorized reasons, the public place must give the individual the opportunity to return and obtain goods, services or accommodations without the animal on the premises. A person who falsely or fraudulently claim to be the owner or trainer of a service animal is subject to a civil penalty of up to \$250 for a first violation, and is guilty of a class 2 (mid-level) misdemeanor for a second or subsequent violation. AS PASSED SENATE.

First sponsor: Sen. McGuire

Others: Rep. Andrade, Sen. Dalessandro, Sen. Hobbs, Sen. Kavanagh, Sen. Miranda

S1166:SERVICE ANIMALS; CERTIFICATION; REGISTRATION; IDENTIFICATION 3/17 FAILED House gov-higher ed 3-4.

### **S1167: SERVICE ANIMALS; PROHIBITED OWNERSHIP**

A person who is convicted of any of a list of specified cruelty to animals offenses is prohibited from owning or otherwise having the care or custody of any service animal in the person's household. Violations are a class 1 (highest) misdemeanor. Two years after conviction of a cruelty to animals offense, the person may apply to have their right to possess a service animal restored unless the person was convicted of a subsequent violation. The list of acts constituting cruelty to animals, a class 6 (lowest) felony, is expanded to include if the person recklessly kills or harms a service animal, and if a person intentionally or knowingly interferes with, kills or harms a service animal.

First sponsor: Sen. McGuire

Others: Sen. S. Allen, Rep. Andrade, Sen. Hobbs, Sen. Kavanagh, Sen. Miranda

S1167:SERVICE ANIMALS; PROHIBITED OWNERSHIP 1/20 referred to Senate jud, nat res.

#### **S1168: CONTINUOUS SMUGGLING; CRIMINAL ACT**

A person who over a period of 10 days or more in duration engages in two or more acts in violation of statute establishing the crime of human smuggling is guilty of continuous smuggling. Continuous smuggling is a class 2 (second-highest) felony and the person is not eligible for suspension of any sentence, probation, pardon or release from confinement except in specified circumstances.

First sponsor: Sen. Dial

Others: Sen. Shooter

S1168:CONTINUOUS SMUGGLING; CRIMINAL ACT 5/7 referred to Senate rules.

#### **S1171: ADOPTION; MARRIED COUPLE; PREFERENCE**

Adoption placement preference is no longer required to be given to a married man and woman when all other relevant factors are equal. Statute allowing a husband and wife to jointly adopt is changed to allow married couples to jointly adopt.

First sponsor: Sen. Farley

Others: Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Sen. Hobbs, Sen. McGuire, Sen. Pancrazi

S1171:ADOPTION; MARRIED COUPLE; PREFERENCE 1/20 referred to Senate hel-hu ser.

#### **S1174: FINANCIAL DISCLOSURE; MODEL LEGISLATION; LOBBYING**

The information that must be disclosed in public officer financial disclosure statements is expanded to include a description of any benefit received by the public officer or any member of his/her household or any of his/her relatives if the benefit is in the form of travel, lodging or registration fees related to a conference or other event. The Secretary of State is required to post information from financial disclosure statements on the website. For the purpose of lobbyist registration and regulations, the definition of "lobbying" includes communicating with or assisting a legislator with respect to or promoting the passage of draft, proposed or model legislation, whether at a conference or other event occurring at a location other than the Legislature or while at the Legislature. The descriptions of persons exempt from lobbyist regulations are modified. The information that must be contained in lobbyist expenditure reports is expanded to include registration fees paid for a conference or other event.

First sponsor: Sen. Farley

Others: Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Sen. Hobbs, Sen. Pancrazi

S1174:FINANCIAL DISCLOSURE; MODEL LEGISLATION; LOBBYING 1/20 referred to Senate gov, fed-man-fiscal.

#### **S1197: SCHOOLS; CURSIVE WRITING REQUIREMENT**

The minimum course of study adopted by the State Board of Education would have been required to include instruction in cursive reading and writing to ensure that by the end of 5th grade students are able to create readable documents through legible cursive handwriting. Cursive reading and writing would have been prohibited from being required as part of statewide achievement assessments. AS VETOED BY GOVERNOR. In his veto message, the Governor expressed strong belief that cursive handwriting must be taught in public schools, but stated that a process is already in

place to ensure that this happens.

First sponsor: Sen. Griffin

Others: Sen. S. Allen, Sen. Barto, Sen. Begay, Sen. Biggs, Sen. Bradley, Sen. Burges, Sen. Cajero, Bedford, Rep. Cardenas, Sen. Dalessandro, Sen. Donahue, Sen. Driggs, Rep. Fann, Sen. Farley, Sen. D. Farnsworth, Rep. Fernandez, Rep. Gray, Sen. Hobbs, Sen. Kavanagh, Sen. Lesko, Sen. McGuire, Sen. Meza, Rep. Montenegro, Rep. Olson, Rep. Pratt, Rep. Rios, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Sen. Worsley, Sen. Yee

S1197:SCHOOLS; CURSIVE WRITING REQUIREMENT 3/31 VETOED message

### **S1198: PUBLIC LIBRARY OPERATION; THIRD-PARTY CONTRACTS**

The list of entities that a county board of supervisors may enter into a contract with to assume the functions of a county free library is expanded to include the governing board of a school district, the governing board of a community college district and a nonprofit corporation. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Griffin

Others: Rep. Borrelli, Rep. Carter, Rep. Cobb, Sen. Dalessandro, Sen. McGuire, Rep. Pratt

S1198:PUBLIC LIBRARY OPERATION; THIRD-PARTY CONTRACTS 5/18 signed by governor. Chap. no. awaited.

### **S1199: EMPLOYMENT; HOUSING; PUBLIC ACCOMMODATIONS; ANTIDISCRIMINATION**

The list of attributes for which a person cannot be discriminated against in employment practices, various housing related statutes, and in places of public accommodation is expanded to include "sexual orientation," "gender identity," and "veteran status" (all defined).

First sponsor: Sen. Sherwood

Others: Rep. Andrade, Rep. Benally, Rep. Bolding, Sen. Bradley, Rep. Cardenas, Rep. Clark, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Rep. Friese, Rep. Gabaldon, Sen. Hobbs, Sen. McGuire, Sen. Meza, Sen. Miranda, Rep. Otondo, Sen. Pancrazi, Sen. Quezada, Rep. Rios, Rep. Saldate, Rep. Velasquez

S1199:EMPLOYMENT; HOUSING; PUBLIC ACCOMMODATIONS; ANTIDISCRIMINATION 5/7 referred to Senate rules.

### **S1201: CIVICS TEST; VOTER REGISTRATION MATERIALS**

The State Board of Education is required to ensure that voter registration materials are available at the location where the civics test required for high school graduation is administered.

First sponsor: Sen. Sherwood

S1201:CIVICS TEST; VOTER REGISTRATION MATERIALS 1/21 referred to Senate educ, gov.

### **S1202: VOTER REGISTRATION; SAME DAY**

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the election. A person who is otherwise qualified to register to vote may register on Election Day at the polling place for the precinct in which that person maintains residence. A person who registers to vote under these provisions may vote only with a provisional ballot and does not qualify a person to vote in a partisan primary election.

First sponsor: Sen. Sherwood

Others: Rep. Andrade, Rep. Benally, Rep. Cardenas, Rep. Clark, Rep. Frieze, Sen. Hobbs, Sen. Miranda, Sen. Quezada, Rep. Saldate, Rep. Velasquez

S1202:VOTER REGISTRATION; SAME DAY 1/21 referred to Senate gov, jud.

### **S1203: EARLY VOTING LOCATIONS; EXTENDED HOURS**

On-site early voting locations are required to be open until 7:00 PM each business day during the early voting period through the Monday preceding election day (instead of until 5:00 PM through the Friday preceding election day), and must also be open on Saturdays and Sundays until 7:00 PM during the two weekends immediately preceding election day.

First sponsor: Sen. Sherwood

Others: Rep. Andrade, Rep. Benally, Rep. Clark, Rep. Frieze, Sen. Hobbs, Sen. Quezada, Rep. Saldate, Rep. Velasquez

S1203:EARLY VOTING LOCATIONS; EXTENDED HOURS 1/21 referred to Senate gov, appro.

### **S1208: TEACHER CERTIFICATION; RECIPROCITY**

State Board of Education rules for certification of teachers are required to allow for renewal of a standard certificate for at least eight years and cannot require more than 15 hours of continuing education credits each year in order to renew. Applicants for a certificate to become superintendent or principal are no longer required to pass an examination on the U.S. and Arizona Constitutions. Board rules providing for teacher certification reciprocity must require that the applicant with certification from another state be in good standing with that other state. An applicant with a valid teacher certification from another state who is in good standing with that other state and who possesses a valid fingerprint clearance card must be issued a standard teaching certificate without any other requirements from the Board or the Department of Education. An applicant who obtains a standard teacher certification through reciprocity is not required to take a proficiency examination, pass an examination on the U.S. and Arizona Constitutions, or obtain a structured English immersion endorsement. AS SIGNED BY GOVERNOR.

First sponsor: Sen. S. Allen

S1208:TEACHER CERTIFICATION; RECIPROCITY 5/18 signed by governor. Chap. no. awaited.

### **S1215: INCOME TAX; COLLEGE TUITION DEDUCTION**

Beginning with tax year 2017, in computing taxable income a "qualifying taxpayer" (defined as a taxpayer whose Arizona adjusted gross income does not exceed \$80,000 for a single individual or head of household, or \$160,000 for a married couple filing jointly) may deduct expenses of up to \$2,500 paid by the taxpayer during the tax year for tuition to a state university or public community college in this state.

First sponsor: Sen. Bradley

Others: Sen. Barto, Sen. Begay, Sen. Cajero Bedford, Sen. Dalessandro, Rep. Frieze, Sen. Hobbs, Rep. Mach, Sen. Meza, Sen. Miranda, Sen. Pancrazi, Rep. Saldate

S1215:INCOME TAX; COLLEGE TUITION DEDUCTION 1/21 referred to Senate educ, fin.

## **S1216: CHARITABLE DONATIONS; TAX CREDIT AMOUNTS**

The maximum amounts of income tax credits for contributions during the tax year to a qualifying charitable organization other than a qualifying foster care charitable organization are increased to \$400 for a single individual or head of household, from \$200, and to \$800 for a married couple filing jointly, from \$400. The maximum amounts of income tax credits for contributions during the tax year to a qualifying foster care charitable organization are increased to \$500 for a single individual or head of household, from \$400, and to \$1,000 for a married couple filing jointly, from \$800. A taxpayer may contribute to either or both a qualifying charitable organization and a qualifying foster care charitable organization and claim either or both credits in the same taxable year. Retroactive to January 1, 2016. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Yarbrough

Others: Sen. S. Allen, Sen. Barto, Sen. Biggs, Rep. Borrelli, Rep. Boyer, Sen. Bradley, Sen. Burges, Sen. Cajero Bedford, Rep. Cardenas, Rep. Coleman, Sen. Contreras, Sen. Donahue, Sen. Driggs, Rep. Fann, Sen. Farley, Sen. Griffin, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Lovas, Rep. Mesnard, Rep. Mitchell, Rep. Norgaard, Rep. Pratt, Sen. Smith, Rep. Townsend, Rep. Weninger, Rep. Wheeler, Sen. Worsley, Sen. Yee

S1216:CHARITABLE DONATIONS; TAX CREDIT AMOUNTS 5/6 signed by governor. Chap. 109, Laws 2016.

## **S1218: NATIONAL POPULAR VOTE; INTERSTATE AGREEMENT**

Establishes an agreement among the states to elect the U.S. President by national popular vote.

First sponsor: Sen. Shooter

Others: Sen. S. Allen, Sen. Barto, Sen. Begay, Sen. Bradley, Sen. Burges, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Dial, Sen. Donahue, Sen. Farley, Sen. Hobbs, Sen. McGuire, Sen. Meza, Sen. Miranda, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood, Sen. Yee

S1218:NATIONAL POPULAR VOTE; INTERSTATE AGREEMENT 5/7 referred to Senate rules.

## **S1227: ANIMAL CRUELTY; SENTENCING; BOND**

The list of acts constituting cruelty to animals is expanded to include to intentionally, knowingly or recklessly "hoard animals" (defined), and cruelty to animals by hoarding animals is a class 1 misdemeanor. The classification for second or subsequent violations of specified cruelty to animals violations is increased to a class 6 felony. The bond that an animal owner is required to post for an animal that was properly seized is increased to \$250 per animal, from \$25.

First sponsor: Sen. Kavanagh

Others: Rep. Boyer, Sen. Dial, Sen. Farley, Sen. Hobbs, Rep. Lawrence, Rep. Mesnard, Rep. Meyer, Rep. Norgaard, Sen. Smith, Rep. Townsend, Rep. Weninger

S1227:ANIMAL CRUELTY; SENTENCING; BOND 3/2 Senate COW approved with amend #4227 and floor amend #4740.

## **S1228: DUI; DRUGS; IGNITION INTERLOCK REQUIREMENT**

The requirement for a person convicted of a violation of driving under the influence (DUI) or aggravated DUI to equip any motor vehicle the person operates with a certified ignition interlock device applies only if the DUI violation involved intoxicating liquor. The court is authorized to order a person convicted of a DUI or aggravated DUI that does not involve intoxicating liquor to equip any motor vehicle

the person operates with a certified ignition interlock device. Conviction of driving a motor vehicle while under the influence of a drug and/or vapor releasing substance is removed from the list of grounds for mandatory revocation of a driver license. Effective January 1, 2017. AS SIGNED BY GOVERNOR.  
First sponsor: Sen. Kavanagh

S1228:DUI; DRUGS; IGNITION INTERLOCK REQUIREMENT 3/24 signed by governor. Chap. 57, Laws 2016.

### **S1230: WRONGFUL ARREST; RECORD CLEARANCE**

If a law enforcement agency determines that a person was wrongfully arrested and is factually innocent of the offense that was the basis of the arrest, the agency is required to immediately seal the person's arrest record, retract any information that the agency reported to any person or entity about the arrest, and notify the person of the sealed arrest record. A person whose arrest record is sealed is authorized to deny that the arrest ever occurred, including when applying for a state-issued license, a law enforcement or school-related job, a concealed weapons permit, or state bar membership or when running for public office or purchasing a firearm.

First sponsor: Sen. Miranda

Others: Sen. Begay, Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Rep. Espinoza, Sen. D. Farnsworth, Rep. Fernandez, Sen. Hobbs, Sen. Meza, Sen. Pancrazi, Rep. Velasquez

S1230:WRONGFUL ARREST; RECORD CLEARANCE 1/21 referred to Senate jud.

### **S1231: RACIAL PROFILING; PROHIBITION; REPORTING**

An article is added to Title 41 (State Government) prohibiting peace officers from engaging in racial profiling or using the race or ethnicity of an individual as the sole factor in determining the existence of probable cause to take an individual into custody. The AZ Peace Officer Standards and Training Board is permitted to develop and distribute a suggested model written racial profiling prevention policy for use by law enforcement agencies. Each law enforcement agency in Arizona is required to annually report specified information on motor vehicle stops to the Board, and the Board is required to review and analyze the information for evidence of racial profiling.

First sponsor: Sen. Miranda

Others: Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Rep. Espinoza, Rep. Fernandez, Sen. Hobbs, Sen. Meza, Sen. Pancrazi, Rep. Velasquez

S1231:RACIAL PROFILING; PROHIBITION; REPORTING 1/21 referred to Senate jud, gov, pub-mil-tech.

### **S1233: ARIZONA MINORITY VETERANS MEMORIAL**

The Department of Administration is authorized to provide for the placement in Wesley Bolin Plaza of a memorial dedicated to the commemoration of Arizona minority veterans. Public monies are not authorized for the costs of the memorial. Self-repeals October 1, 2019.

First sponsor: Sen. Miranda

Others: Sen. Begay, Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Rep. Fernandez, Sen. Hobbs, Sen. Lesko, Sen. McGuire, Sen. Meza, Sen. Pancrazi, Sen. Shooter, Rep. Velasquez

S1233:ARIZONA MINORITY VETERANS MEMORIAL 2/18 from Senate gov with amend #4360.



## **S1235: CONSIDERATION OF PROPERTY RIGHTS; ZONING**

The legislative body of a municipality and the county board of supervisors are required to consider the individual property rights and personal liberties of the residents of the municipality or county before adopting any zoning ordinance. AS SIGNED BY GOVERNOR.

First sponsor: Sen. D. Farnsworth

Others: Rep. Kern, Rep. Lawrence, Sen. Lesko, Rep. Livingston, Rep. Mitchell, Rep. Olson, Rep. Petersen

S1235:CONSIDERATION OF PROPERTY RIGHTS; ZONING 5/6 signed by governor. Chap. 111, Laws 2016.

## **S1241: PHOTO RADAR PROHIBITION; STATE HIGHWAYS**

The state and local authorities are prohibited from using a photo enforcement system on a state highway to identify violators of traffic control devices and speed regulations. Statute authorizing photo enforcement on state highways under certain circumstances is repealed. Contains a legislative intent section. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Lesko

Others: Sen. Begay, Sen. Biggs, Rep. Boyer, Sen. Burges, Sen. Dial, Sen. Donahue, Sen. D. Farnsworth, Rep. Gray, Sen. Griffin, Sen. Kavanagh, Rep. Kern, Sen. McGuire, Sen. Miranda, Rep. Mitchell, Sen. Sherwood, Sen. Smith, Sen. Yee

S1241:PHOTO RADAR PROHIBITION; STATE HIGHWAYS 3/21 signed by governor. Chap. 55, Laws 2016.

## **S1257: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES**

A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft. AS PASSED HOUSE.

First sponsor: Sen. Kavanagh

Others: Rep. J. Allen, Sen. Barto, Rep. Barton, Sen. Biggs, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Burges, Rep. Campbell, Sen. Donahue, Sen. D. Farnsworth, Rep. Finchem, Rep. Gowan, Rep. Gray, Sen. Griffin, Rep. Kern, Rep. Lawrence, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Lovas, Sen. McGuire, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Olson, Rep. Petersen, Rep. Rivero, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Townsend, Rep. Weninger

S1257:MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES 5/4 Senate concurred in House amendments and FAILED to pass on final reading 14-14.

## **S1260: VOTER REGISTRATION; AUTOMATIC; DRIVER LICENSES**

Beginning January 1, 2017, every person who is applying for a driver license or renewal and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant declines to be registered within 21 calendar days. Effective January 1, 2017.

First sponsor: Sen. McGuire

Others: Rep. Andrade, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Sen. Hobbs, Sen. Meza, Sen. Miranda, Rep. Otondo, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood

S1260:VOTER REGISTRATION; AUTOMATIC; DRIVER LICENSES 1/26 referred to Senate gov.

## **S1262: LURING MINORS; SEXUAL EXPLOITATION; SENTENCE**

Establishes minimum, presumptive and maximum terms of imprisonment for a person convicted of luring a minor for sexual exploitation if the person believed the other person was under 15 years of age, whether or not the other person is a minor, and for a person convicted of luring a minor for sexual exploitation if the person has been previously convicted of one predicate felony.

First sponsor: Sen. McGuire

Others: Sen. Dalessandro, Sen. Hobbs, Sen. Miranda, Rep. Otondo

S1262:LURING MINORS; SEXUAL EXPLOITATION; SENTENCE 1/26 referred to Senate jud.

## **S1266: FIREARMS; STATE PREEMPTION; PENALTIES**

Any ordinance, regulation, tax or rule that violates statute limiting political subdivisions from regulating firearms is invalid and subject to a permanent injunction against the political subdivision from enforcing the ordinance, regulation, tax or rule. If a court determines the violation was knowing and willful, the court is permitted to assess a civil penalty of up to \$50,000 against the political subdivision. If a court determines a person in their official capacity has knowingly and willfully violated these requirements, the person may be subject to termination from employment to the extent allowable under state law. A person or organization whose membership was adversely affected by an act is permitted to file a civil action for declaratory and injunctive relief and actual damages against the political subdivision in any court having jurisdiction over any defendant. The court is required to award the prevailing plaintiff in any civil action reasonable attorney fees and the actual damages incurred, up to \$100,000. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Smith

Others: Sen. S. Allen, Sen. Begay, Sen. Biggs, Rep. Borrelli, Sen. Burges, Sen. D. Farnsworth, Rep. Finchem, Rep. Gowan, Sen. Griffin, Sen. Kavanagh, Rep. Kern, Sen. Lesko, Sen. McGuire, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Sen. Shooter, Rep. Thorpe

S1266:FIREARMS; STATE PREEMPTION; PENALTIES 5/10 signed by governor. Chap. 132, Laws 2016. message

## **S1273: CRIMINAL CASES; ARRESTS; RECORDS; ERASURE**

In any criminal case commenced beginning October 1, 1969, if the accused is found not guilty by a final judgment or the charge is dismissed, all law enforcement, prosecuting agency and court records that pertain to the charge must be erased when the time to file a notice of appeal expires. Some exceptions. In any criminal case commenced before October 1, 1969, if the accused is found not guilty by a final judgment or the charge is dismissed, all law enforcement, prosecuting agency and court records that pertain to the charge must be erased by operation of law. Some exceptions. If a person is arrested or charged with violating a criminal law and the prosecutor dismisses or does not file a criminal charge against the person for at least 13 months after the arrest or dismissal, all law enforcement, grand jury, prosecuting agency and court records that pertain to the arrest or charge must be erased. Some exceptions. If a judgment of guilt is set aside, the person may request that the court seal the person's arrest and conviction records. The court or a law enforcement agency is prohibited from publicly disclosing an arrest and conviction record that is sealed. A person whose arrest record is sealed is authorized to deny under all circumstances that the arrest and conviction ever occurred.

First sponsor: Sen. Quezada

S1273:CRIMINAL CASES; ARRESTS; RECORDS; ERASURE 1/26 referred to Senate jud.

### **S1279: EMPOWERMENT SCHOLARSHIPS; EXPANSION; PHASE-IN**

Beginning in the 2016-17 school year, any child who attends a public school in kindergarten through 5th grade is eligible for an Arizona empowerment scholarship account. Beginning in the 2017-18 school year, any child who attends a public school in kindergarten through 8th grade is eligible for an Arizona empowerment scholarship account. Beginning in the 2018-19 school year, any child who attends a public school in kindergarten through 12th grade is eligible for an Arizona empowerment scholarship account. AS PASSED SENATE.

First sponsor: Sen. Lesko

Others: Rep. J. Allen, Sen. S. Allen, Sen. Barto, Rep. Barton, Sen. Begay, Sen. Biggs, Rep. Borrelli, Rep. Boyer, Sen. Burges, Rep. Fann, Sen. D. Farnsworth, Rep. Finchem, Sen. Griffin, Sen. Kavanagh, Rep. Kern, Rep. Leach, Rep. Livingston, Rep. Mesnard, Rep. Montenegro, Rep. Norgaard, Sen. Smith, Rep. Thorpe, Sen. Yarbrough, Sen. Yee

S1279:EMPOWERMENT SCHOLARSHIPS; EXPANSION; PHASE-IN 3/30 retained on House COW calendar.

### **S1282: PUBLIC RECORDS; UNDULY BURDENSOME REQUESTS**

It is a defense to any action under public records law that the request for access to public records is unduly burdensome or harassing.

First sponsor: Sen. Kavanagh

S1282:PUBLIC RECORDS; UNDULY BURDENSOME REQUESTS 3/24 FAILED to pass House 19-40.

### **S1285: AGGRESSIVE SOLICITATION; APPROACHING STOPPED VEHICLE**

The list of acts constituting aggressive solicitation, a petty offense, is expanded to include approaching within 10 feet of a person who is in a vehicle that is stopped at a traffic control device except if the driver of the vehicle grants the person permission to approach the vehicle.

First sponsor: Sen. Kavanagh

S1285:AGGRESSIVE SOLICITATION; APPROACHING STOPPED VEHICLE 1/26 referred to Senate jud.

### **S1286: INTERNET SEX OFFENDER WEBSITE; OFFENSES**

The sex offenders that the Department of Public must include on the internet sex offender website is expanded to include any offender who was convicted of or adjudicated guilty except insane for a list of specified completed offenses or the same or substantially similar offense in another state or jurisdiction. Applies to a person who is convicted of or adjudicated guilty except insane for these offenses committed before, on or after the effective date of this legislation. For offenders convicted of these offenses before the effective date of this legislation, the Dept is not required to include the information on the website until July 1, 2017. Also, the internet sex offender website requirements do not apply to an offender during any time that the offender is incarcerated in the Department of Corrections. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Kavanagh

S1286:INTERNET SEX OFFENDER WEBSITE; OFFENSES 5/11 signed by governor. Chap. 154, Laws 2016.

## **S1292: EMERGENCY PLACEMENTS; CRIMINAL BACKGROUND CHECKS**

If a child is removed from the custody of the child's parent or guardian and an "emergency placement" (defined) is offered, the Department of Child Safety (DCS) or an "authorized tribe" (defined) is authorized to request that each person who is at least 18 years of age and who is residing in a potential home consent to a preliminary state and federal name-based background check, and to submit a full set of fingerprints to DCS for the purpose of obtaining a state and federal criminal records check. If a name-based background check demonstrates that none of the adults residing in the home have been convicted of a disqualifying criminal offense, as designated by DCS by rule, DCS or the authorized tribe are permitted to place the child in the home pending the outcome of the fingerprint background check. If an adult refuses to consent to the background checks, DCS or the child are prohibited from placing the child in the home or must immediately remove the child from the home.

First sponsor: Sen. Begay

Others: Sen. S. Allen, Sen. Barto, Sen. Burges, Sen. Shooter

S1292:EMERGENCY PLACEMENTS; CRIMINAL BACKGROUND CHECKS 2/23 stricken from Senate consent calendar by Hobbs.

## **S1293: MEDIATION; CONFIDENTIAL COMMUNICATIONS; EXCEPTION**

The list of communications made during the mediation process that are exempt from confidentiality requirements is expanded to include a disclosure made in a report to a law enforcement officer, the Department of Child Safety or Adult Protective Services by a court appointed mediator who reasonably believes that a minor or vulnerable adult is or has been a victim of abuse, child abuse, neglect, exploitation, physical injury or another "reportable offense" (defined elsewhere in statute). AS SIGNED BY GOVERNOR.

First sponsor: Sen. Driggs

S1293:MEDIATION; CONFIDENTIAL COMMUNICATIONS; EXCEPTION 5/18 signed by governor. Chap. no. awaited.

## **S1312: MOTOR FUEL TAXES**

Repeals the tax of 18 cents per gallon on motor vehicle fuel possessed, used or consumed in Arizona, other motor vehicle fuel taxes imposed, and statutes regulating use fuel tax collection and fuel dispenser labels. Beginning January 1, 2017, a tax of 12 percent of the statewide average rack price of a gallon of motor fuel is imposed on motor vehicle fuel possessed, used or received for sale or use in Arizona, and establishes a calculation used to determine the statewide average rack price of a gallon of motor fuel. The statewide average rack price of a gallon of motor fuel cannot be less than \$2.45 per gallon, and cannot exceed \$3.33 per gallon. Establishes a process for the Dept to annually adjust the fuel tax rate. A county by ordinance is authorized to levy a tax on wholesale motor fuel sold in that county of up to 3 percent of the total sale of motor vehicle fuel. The Department of Transportation is required to study a road usage charge mileage-based revenue system as an alternative to motor fuel taxes and make recommendations to the Legislature on the potential use and future implementation of a road usage charge in Arizona. More. Effective January 1, 2017.

First sponsor: Sen. Farley

S1312: MOTOR FUEL TAXES 1/27 referred to Senate trans, fin.

### **S1318: STO OPERATIONAL REQUIREMENTS**

The tax credit for contributions to school tuition organizations is not allowed if the taxpayer requests or recommends the contribution for the benefit of any student, instead of if the taxpayer designates the contribution for the direct benefit of any dependent of the taxpayer. School tuition organizations are required to allocate at least 95 percent, increased from 90 percent, of its annual revenue from contributions for the purpose of tax credits for educational scholarships or tuition grants. School tuition organizations are required to allocate at least 90 percent of annual revenue from specified tax credit contributions for educational scholarships or tuition grants for students whose family income does not exceed 185 percent of the economic eligibility requirements for free or reduced price lunches. All school tuition organizations, instead of only those that received \$1 million or more in total donations, are required to provide for an annual audit of the organization.

First sponsor: Sen. Farley

Others: Rep. Alston, Sen. Contreras, Sen. Dalessandro, Sen. Hobbs, Rep. Kopec, Sen. Meza, Sen. Pancrazi, Sen. Quezada

S1318:STO OPERATIONAL REQUIREMENTS 1/27 referred to Senate fin.

### **S1319: APPROPRIATION; SCHOOL SOLUTIONS TEAMS**

Appropriates \$3 million from the general fund in FY2016-17 to the Assistance for Education Fund to fund solutions teams assigned to schools that received a letter grade of D or below.

First sponsor: Sen. Farley

Others: Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Sen. Hobbs, Rep. Kopec, Sen. Meza, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood

S1319:APPROPRIATION; SCHOOL SOLUTIONS TEAMS 1/27 referred to Senate appro.

### **S1330: PARENT-CHILD RELATIONSHIP; TERMINATION; PETITION**

The county attorney of the county in which a prospective adoptive parent resides is authorized to prepare a petition to terminate the parent-child relationship without expense to the prospective adoptive parent. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Pancrazi

Others: Rep. Fernandez, Rep. Mitchell, Rep. Montenegro, Rep. Otondo, Sen. Shooter

S1330:PARENT-CHILD RELATIONSHIP; TERMINATION; PETITION 5/17 signed by governor. Chap. 275, Laws 2016.

### **S1333: PUBLIC EMPLOYEES; COLLECTIVE BARGAINING**

Public employees may form, join and participate in, or refrain from forming, joining or participating in unions. A three-member Public Employee Labor Relations Board is formed to certify or decertify union representation and to hear complaints of prohibited practices. Local public employee labor relations boards are also authorized. State employees are forbidden from engaging in or encouraging a strike, and public employers cannot engage in an employee lockout. The Board terminates on July 1, 2026.

First sponsor: Sen. Quezada

Others: Rep. Cardenas, Rep. Fernandez, Rep. Rios, Rep. Velasquez

S1333:PUBLIC EMPLOYEES; COLLECTIVE BARGAINING 1/27 referred to Senate gov.

### **S1337: LOBBYISTS; MEALS; ANNUAL LIMIT**

For the purposes of regulations on gifts from lobbyists, the exemption from the definition of "gift" for food or beverages applies only to food or beverages at a cost of up to \$50 per calendar year.

First sponsor: Sen. Quezada

Others: Rep. Fernandez, Rep. Velasquez

S1337:LOBBYISTS; MEALS; ANNUAL LIMIT 1/27 referred to Senate gov.

### **S1339: FIREARMS SALES; TRANSFERS; BACKGROUND CHECKS**

If neither party to a prospective firearms sale or transfer is a licensed firearms dealer, the parties must complete the transaction through a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to the seller. If the dealer cannot legally return the weapon to the seller, the dealer must deliver the weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony.

First sponsor: Sen. Quezada

Others: Rep. Fernandez, Rep. Velasquez

S1339:FIREARMS SALES; TRANSFERS; BACKGROUND CHECKS 1/27 referred to Senate gov.

### **S1340: HIRING PRACTICES; LIMITATIONS; CRIMINAL HISTORY**

Employers are prohibited from inquiring, considering or requiring disclosure of the criminal conviction record of an applicant for employment during the hiring process unless it has a direct relationship to the employment position, is only for the period of the five most recent consecutive years, and takes place after the applicant has received a conditional offer of employment. Does not apply to positions that require a valid fingerprint clearance card.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Cardenas, Rep. Fernandez, Rep. Gabaldon, Rep. Mendez, Rep. Velasquez

S1340:HIRING PRACTICES; LIMITATIONS; CRIMINAL HISTORY 1/27 referred to Senate com-work dev.

### **S1341: EARLY BALLOTS; PRECINCT BALLOT BOX**

Any qualified elector who is listed as having applied for an early ballot and who appears at the polling place with the early ballot must be allowed to vote that early ballot at the polling place as a regular ballot, and a provisional ballot is not required.

First sponsor: Sen. Quezada

Others: Rep. Cardenas, Rep. Fernandez, Rep. Rios, Rep. Velasquez

S1341:EARLY BALLOTS; PRECINCT BALLOT BOX 1/27 referred to Senate gov.

### **S1342: DRIVER LICENSES; VOTER REGISTRATION; APPLICABILITY**

Beginning January 1, 2017, every person who is applying for a driver license or renewal and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register. Beginning January 1, 2017, every person who received a driver license or renewal after October 1, 1996 and who is otherwise qualified to register to vote must be registered to vote automatically after the Department of Transportation notifies every licensee that s/he will be registered to vote automatically unless s/he clearly expresses a decision not to register, the Dept provides information on licensees who do not affirmatively opt out to the appropriate county recorder, and the county recorder mails a request for confirmation of registration information to each licensee.

First sponsor: Sen. Sherwood

S1342:DRIVER LICENSES; VOTER REGISTRATION; APPLICABILITY 1/27 referred to Senate gov.

### **S1343: CASH ASSISTANCE; TIME LIMIT; INCREASE**

Effective July 1, 2016, a needy family is ineligible for Temporary Assistance for Needy Families cash assistance, except in case of hardship, if the needy family includes a head of household or spouse who has received cash assistance for himself or on behalf of a dependent child for a total of 60 months, increased from 12 months. Retroactive to July 1, 2016.

First sponsor: Sen. Sherwood

S1343:CASH ASSISTANCE; TIME LIMIT; INCREASE 1/27 referred to Senate hel-hu ser, appro.

### **S1349: SENTENCING; AGGRAVATING FACTOR; TEXTING**

The list of aggravating circumstances for the purpose of determining the sentence for felony offenses is expanded to include that during the commission of the offense, the defendant was operating a motor vehicle while using a "wireless communication device" (defined) to manually type, send, read or enter a written or visual communication, including a text message, instant message, e-mail or a communication on social media.

First sponsor: Sen. Farley

S1349:SENTENCING; AGGRAVATING FACTOR; TEXTING 1/28 referred to Senate trans, gov, jud.

### **S1351: SCHOOLS; ELECTIONS; BALLOT ARGUMENTS; EXCLUSION**

The ballot argument for a proposed school district budget increase or change, which is contained in the informational report mailed to the households in which qualified electors reside within the school district, must be signed as "the governing board of the school district" without listing any member's individual name for the argument.

AS PASSED SENATE.

First sponsor: Sen. Lesko

Others: Sen. S. Allen, Sen. Burges, Rep. Gray, Sen. Kavanagh, Sen. Meza, Rep. Rivero

S1351:SCHOOLS; ELECTIONS; BALLOT ARGUMENTS; EXCLUSION 3/17 from House rules okay. House COW approved.

## **S1352: ELECTRONIC COMMUNICATIONS; PRIVACY RIGHTS**

A government entity that executes a search warrant is required to serve on or deliver to the identified targets of the search warrant a notice that informs the recipient that information about the recipient has been compelled or requested and contains other specified information. When a search warrant is sought, the government entity may request an order delaying notification and prohibiting any party providing information from notifying any other party that information has been sought. If the court determines that there is reason to believe that notification may have an "adverse result" (defined), the court must issue the order for up to 90 days. Except as provided by statute, a government entity is prohibited from compelling the production of or access to electronic device information from any person or entity other than the authorized possessor of the device, and from accessing electronic device information by means of physical interaction or electronic communication with the device. Some exceptions. Establishes requirements for search warrants for electronic information. A person who is detained or arrested and who possesses an electronic device that requires a "biometric identifier" (defined) to access the device is not required to provide the biometric identifier unless a valid search warrant has been issued for the biometric identifier. Also repeals statutes governing emergency interception, stored oral, wire and electronic communications, records preservation requests and communication service records. More.

First sponsor: Sen. Dial

S1352:ELECTRONIC COMMUNICATIONS; PRIVACY RIGHTS 1/28 referred to Senate jud, pub-mil-tech.

## **S1360: COUNTYWIDE ELECTIONS; VOTE BY MAIL**

On approval of the county board of supervisors, a county is authorized to conduct a mail ballot election for all elections administered by that county, including elections for federal and state offices and measures, and elections for county, municipal, school district and special districts. Counties that conduct mail ballot elections are required to report specified information about the election to the Legislature by January 1 of each year following a mail ballot election.

First sponsor: Sen. Worsley

Others: Sen. Begay, Sen. Burges, Sen. Driggs, Sen. Miranda

S1360:COUNTYWIDE ELECTIONS; VOTE BY MAIL 1/28 referred to Senate gov.

## **S1369: WAGE RATES; PROHIBITIONS**

Statute prohibiting employers from paying any employee at wage rates less than the rates paid to employees of the opposite sex are modified to require equal wage rates for substantially similar work when viewed as a composite of skill, effort and responsibility and performed under similar working conditions, unless the employer demonstrates that the wage differential is based on specified factors. In addition to the wages the employee is deprived by reason of a violation, an employer in violation is liable to the employee affected for interest on the wages, and an amount equal to the wages as liquidated damages. An employer is prohibited from discharging or discriminating or retaliating against an employee who takes action to invoke or assist in the enforcement of these regulations.

First sponsor: Sen. McGuire

Others: Sen. Contreras, Sen. Farley, Sen. Hobbs, Sen. Miranda, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood



S1369:WAGE RATES; PROHIBITIONS 1/28 referred to Senate com-work dev.

### **S1373: LIQUOR OMNIBUS**

Various changes to statutes regulating liquor licenses. Liquor sampling must be limited to two wholesalers or producers at any one off-sale retailer's premises on any day, instead of one. If an establishment has multiple licenses at the same location and the licenses are not from the same channel, the spirituous liquor must be sold under the channel that represents the primary use of the premises. A restaurant applicant or licensee is authorized to apply to the Department of Liquor Licenses and Control for a permit allowing for the sale of beer for consumption off the licensed premises if the beer container meets specified requirements. The maximum amount of beer a person may be served at one time is increased to 50 ounces. Modifies the definition of "repeated acts of violence" for licensed premises with a permanent occupancy of more than 200. Statute prohibiting spirituous liquor in motor vehicles does not apply to a passenger in a transportation network company vehicle while the vehicle is being used to provide transportation network services. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Kavanagh

S1373: LIQUOR OMNIBUS 5/11 signed by governor. Chap. 161, Laws 2016.

### **S1374: BODY ART ESTABLISHMENTS; MINIMUM STANDARDS**

The Department of Health Services is required to coordinate with local public health departments to establish minimum standards for "body art establishments" (defined) and operators, including proper disposal of equipment, sterilization, and bloodborne pathogen training requirements. County standards for body art establishments must be at least as stringent as those prescribed by the Dept.

First sponsor: Sen. Lesko

S1374:BODY ART ESTABLISHMENTS; MINIMUM STANDARDS 1/28 referred to Senate hel-hu ser, com-work dev, gov.

### **S1375: TELEPHONE SOLICITATIONS**

For the purpose of statues regulating telephone solicitations, the definition of "telephone solicitation" is modified to mean any voice communication that is to or from a person located in Arizona, instead of to a telephone number in Arizona. A seller or solicitor is prohibited from initiating an outbound telephone solicitation call to any telephone number on the national do-not-call registry, instead of an intrastate call to any telephone number in Arizona. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Lesko

Others: Sen. Begay, Rep. Borrelli, Sen. Burges, Rep. Cardenas, Rep. Carter, Sen. Contreras, Sen. Donahue, Rep. Larkin, Rep. McCune Davis, Sen. McGuire, Rep. Mitchell, Sen. Shooter, Rep. Thorpe, Sen. Yee

S1375:TELEPHONE SOLICITATIONS 5/17 signed by governor. Chap. 279, Laws 2016.

### **S1376: SCHOOL DISTRICTS; CONSOLIDATION; LETTER GRADES**

The list of permitted school district consolidations is expanded to include to change the boundaries of a school district that has received a letter grade of A or B to include another school district "within 20 miles of each other." AS SIGNED BY

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**GOVERNOR.**

First sponsor: Sen. Smith

Others: Sen. S. Allen, Sen. Begay, Rep. Boyer, Rep. Coleman, Sen. Dial, Rep. Lovas, Rep. Shope, Rep. Weninger

S1376:SCHOOL DISTRICTS; CONSOLIDATION; LETTER GRADES 5/12 signed by governor. Chap. 225, Laws 2016.

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**S1378: PROHIBITED MONEY TRANSFERS; IMMIGRATION; VIOLATIONS**

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The State Treasurer is prohibited from transferring any monies from the general fund or any other fund to a municipal or county treasurer if the municipality or county is a "sanctuary city" (defined). By January 1 of each year, every municipal and county treasurer is required to attest that the treasurer's municipality or county is not a sanctuary city. The Attorney General of county attorney may investigate to determine if a municipality or county is a sanctuary city, and a citizen is permitted to make a request for an investigation.

First sponsor: Sen. Smith

Others: Sen. Biggs, Rep. Borrelli, Sen. Burges, Sen. D. Farnsworth, Rep. Finchem, Sen. Kavanagh, Rep. Kern, Sen. Lesko, Rep. Livingston, Rep. Montenegro, Sen. Shooter, Sen. Yee

S1378:PROHIBITED MONEY TRANSFERS; IMMIGRATION; VIOLATIONS 2/22 FAILED to pass Senate 14-16.

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**S1380: SALE & RELOCATION; STATE FAIR**

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The Arizona Exposition and State Fair Board is required to sell to the highest and best bidder at public auction all the rights, title and other interests of the state in the real estate and improvements constituting the current state fairgrounds, including the Veterans Memorial Coliseum and Exposition Center, to a buyer whose principal place of business is located in Arizona. Requirements for the contract for the sale are specified. All proceeds of the sale must be deposited in the general fund. The Board is required to study the relocation of the state fair and identify available sites for potential acquisition, and report its findings and recommendations to the Governor and the Legislature by September 30, 2016. Also makes various other changes to statutes related to Board, including repealing the Board's authorization for the issuance and sale of revenue bonds and the power to secure bonds.

First sponsor: Sen. Meza

Others: Sen. Miranda

S1380:SALE & RELOCATION; STATE FAIR 2/15 Senate com-work dev held.

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**S1383: MUNICIPAL TAX; AUTOMOBILES; INDIAN RESERVATIONS**

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The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege or other similar tax on is expanded to include the sale of a motor vehicle to an enrolled member of an Indian tribe who resides on the Indian reservation established for that tribe.

First sponsor: Sen. Begay

S1383:MUNICIPAL TAX; AUTOMOBILES; INDIAN RESERVATIONS 2/1 referred to Senate fin.

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### **S1385: CHILDREN'S HEALTH INSURANCE PROGRAM**

Eliminates the enrollment cap for the Children's Health Insurance Program (KidsCare). Repeals statute terminating KidsCare if the federal government eliminates or significantly reduces federal funding. The AHCCCS Administration is required to submit to the Centers for Medicare and Medicaid Services (CMMS) a state plan amendment to resume enrollment in the program. Conditionally enacted on CMMS approving the plan amendment to resume enrollment by July 1, 2017.

First sponsor: Sen. Begay

Others: Rep. Carter, Rep. Cobb

S1385:CHILDREN'S HEALTH INSURANCE PROGRAM 2/1 referred to Senate hel-hu ser, appro.

### **S1392: AUTOMATIC VOTER REGISTRATION; POLITICAL PARTY**

Beginning January 1, 2017, every person who is applying for a driver license or renewal and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register. The applicant must also be offered the opportunity to register with a political party.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Sen. Cajero Bedford, Sen. Dalessandro, Sen. Farley, Sen. Hobbs, Sen. Pancrazi, Sen. Sherwood

S1392:AUTOMATIC VOTER REGISTRATION; POLITICAL PARTY 2/1 referred to Senate gov.

### **S1394: CHARTER SCHOOLS; PROHIBITED LOCATIONS**

A charter school that is established after the effective date of this legislation is prohibited from being located within a three-mile radius miles of a school district school that has been assigned a letter grade of A or B.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Sen. Cajero Bedford, Sen. Dalessandro, Rep. Espinoza, Rep. Fernandez, Sen. Hobbs, Rep. Mendez, Sen. Pancrazi, Rep. Velasquez

S1394:CHARTER SCHOOLS; PROHIBITED LOCATIONS 2/1 referred to Senate educ.

### **S1395: CHARTER SCHOOLS; AUDIT REQUIREMENTS**

The Auditor General is required to conduct a comprehensive annual audit of each charter school in Arizona. Every audit conducted for a charter school that includes a review of compliance with the uniform system of financial records must include examinations of classroom spending, the diversity of the charter school students and staff and special education programs. The school-wide audit team in the office of the Auditor General is required to conduct performance audits and monitor charter schools in the same manner it audits and monitors school districts.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Sen. Cajero Bedford, Sen. Dalessandro, Sen. Hobbs, Sen. Pancrazi

S1395:CHARTER SCHOOLS; AUDIT REQUIREMENTS 2/1 referred to Senate educ.

### **S1396: CHARTER SCHOOLS; PUBLIC MEETINGS; RECORDS**

Charter schools, governing bodies of charter schools, charter school sponsors, charter holders, charter school operators, corporate boards of directors of charter school operators and management organizations that contract with charter schools are subject to open meeting law and public records law.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Sen. Cajero Bedford, Sen. Dalessandro, Sen. Hobbs, Sen. Pancrazi

S1396:CHARTER SCHOOLS; PUBLIC MEETINGS; RECORDS 5/7 referred to Senate rules.

### **S1398: FUEL TAXES; STREETS & HIGHWAYS**

A county receiving Highway User Revenue Fund monies is required to publish an annual financial report containing budgeted and actual expenditures of funds received from motor vehicle fuel and use fuel taxes. The report must cover the preceding fiscal year and must be distributed by December 31. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Griffin

S1398:FUEL TAXES; STREETS & HIGHWAYS 5/11 signed by governor. Chap. 163, Laws 2016.

### **S1403: MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION**

A person who, in good faith, seeks medical assistance for someone experiencing a drug related overdose and a person who experiences a drug related overdose and is in need of medical assistance cannot be charged or prosecuted for the possession or use of a controlled substance or drug paraphernalia if the evidence for the violation was gained as a result of seeking medical assistance.

First sponsor: Sen. Hobbs

Others: Sen. Bradley, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Sen. Sherwood

S1403:MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION 2/1 referred to Senate jud, gov, pub-mil-tech.

### **S1405: SCHOOLS; CORPORAL PUNISHMENT**

If a school district or charter school allows "corporal punishment" (defined), the governing body of the school district or charter school is required to review the corporal punishment policy at a public meeting within one year after the effective date of this legislation and vote to either retain, revoke or modify the policy. Does not prevent a list of specified actions.

First sponsor: Sen. Hobbs

Others: Sen. Bradley, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Sen. Quezada

S1405:SCHOOLS; CORPORAL PUNISHMENT 2/1 referred to Senate educ.

### **S1406: REPORTING; UNTESTED SEXUAL ASSAULT KITS**

By January 1, 2017, each "criminal justice agency" (defined) that is charged with the maintenance, storage and preservation of "sexual assault collection kits" (defined) is required to conduct a physical inventory of all the kits that are being

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stored by the agency, compile a written report containing the number of “untested kits” (defined), the date the kit was collected and the reason why the kit is currently untested, and submit the report to the Department of Public Safety’s crime laboratory. By March 1, 2017, the crime laboratory is required to report this information in aggregate to the Legislature.

First sponsor: Sen. Hobbs

Others: Rep. Alston, Rep. Boyer, Sen. Bradley, Sen. Cajero Bedford, Sen. Contreras, Sen.

Dalessandro, Sen. Farley, Rep. Fernandez, Rep. Friese, Sen. Lesko, Rep. McCune Davis, Sen.

McGuire, Rep. Mendez, Rep. Mesnard, Sen. Pancrazi, Rep. Plumlee, Sen. Quezada, Rep. Rios, Sen.

Sherwood, Sen. Shooter, Sen. Smith

S1406:REPORTING; UNTESTED SEXUAL ASSAULT KITS 2/18 Senate jud held.

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## **S1407: ABORTION; RELIGIOUS EMPLOYERS; CONTRACEPTION; REPEAL**

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Numerous changes related to the regulation of abortion. Abortions are no longer prohibited after 12 weeks gestation. A person performing an abortion is no longer required to obtain voluntary and informed consent and perform an ultrasound at least 24 hours before performing the abortion. Various penalties for violations of abortion regulations and reporting requirements related to abortions are deleted. Statute prohibiting sex-selection or race-selection abortions is repealed. Repeals statute prohibiting the state or political subdivisions from entering into a contract with or making a grant to any person that performs nonfederally qualified abortions or operates a facility where nonfederally qualified abortions are performed, and regulating the expenditure or grant of public monies for family planning services. The Department of Health Services is no longer authorized to perform inspections of abortion clinics if there is reasonable cause to believe the clinic is not adhering to licensing requirements or any other law or rule concerning abortion. Health professionals that provide care to a female of reproductive age who states that she is the victim of rape must provide the patient with medical information about emergency contraception (defined as a drug or device that prevents pregnancy after sexual intercourse) and provide or prescribe emergency contraception at the patient's request. Health professionals may refer the patient to another provider for forensic medical care and emergency contraception. Licensed pharmacies are required to properly fill valid prescription orders presented to the pharmacy by or for a customer. Pharmacy employees must notify the pharmacy in writing of all categories or types of prescription drugs and devices that the employee would decline to fill because of sincerely held religious beliefs, and the pharmacy must attempt to accommodate the employee if the accommodation can be made without causing undue hardship to the pharmacy or its customers. Also requires the Department of Health Services to administer a program to reduce the risks of unintended pregnancy by improving awareness of emergency contraception. “Religious employers” (defined) whose religious tenets prohibit the use of prescribed contraceptive methods are permitted to require a health or disability insurer to provide a contract without coverage for all contraceptive methods by submitting a written affidavit. Religious employers are prohibited from discriminating against an employee who independently chooses to obtain insurance coverage or prescriptions for contraceptives from another source. Religious employers are no longer permitted to require a health or disability insurer to provide a contract without coverage for specific items or services required by statute because providing or paying for coverage of those items or services is contrary to the religious beliefs of the religious employer offering the plan. The definition of “religious employer” is modified. More.

First sponsor: Sen. Hobbs

Others: Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Sen. Quezada, Sen.

Sherwood

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S1407:ABORTION; RELIGIOUS EMPLOYERS; CONTRACEPTION; REPEAL 2/1 referred to Senate hel-hu ser.

#### **S1408: SCHOOLS; BULLYING POLICY; DEFINITION**

Defines "bullying" as any written, verbal or physical act or any electronic communication that is intended to harm a student. Charter schools are required to prescribe and enforce policies and procedures to prohibit students from harassing, intimidating and bullying other students. The policies and procedures must include specified elements. Also modifies the required elements of school district anti-bullying policies.

First sponsor: Sen. Hobbs

Others: Sen. Bradley, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Sen. Quezada, Sen. Sherwood

S1408:SCHOOLS; BULLYING POLICY; DEFINITION 2/1 referred to Senate educ, gov.

#### **S1410: SEXUAL ASSAULT VICTIM ADVOCATES; PRIVILEGE**

In a civil action, a "sexual assault victim advocate" (defined) is prohibited from being examined as to any communication made by the sexual assault victim to the advocate. Some exceptions. Sexual assault victim advocates are added to the list of persons with a duty to report a reasonable belief of abuse or neglect that is developed in the course of their employment.

First sponsor: Sen. Hobbs

Others: Sen. Bradley, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Driggs, Sen. Farley, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood, Sen. Shooter

S1410:SEXUAL ASSAULT VICTIM ADVOCATES; PRIVILEGE 3/24 from House rules okay.

#### **S1412: INCOMPETENT; NONRESTORABLE DEFENDANTS; INVOLUNTARY COMMITMENT**

Various changes related to defendants who are incompetent to stand trial. If a defendant is charged with a sexually violent offense and the county attorney requests, the court is authorized to order a screening of the defendant to determine if the defendant is a sexually violent person. If a mental health expert appointed by the court determines that a defendant is incompetent to stand trial and not restorable to competency within 21 months, the expert is required to determine whether the defendant may be a sexually violent person. If a mental health expert determines that a defendant is incompetent to stand trial, the information that must be included in the expert's report is expanded to include the nature of the mental health disorder, disease or defect or of any personality or other disorder that makes the defendant likely to be "dangerous" (defined), and if the prognosis includes a determination that there is no substantial probability that the defendant will regain competency within 21 months, whether the defendant should be considered dangerous or may be a sexually violent person. If the court finds that a defendant is incompetent to stand trial and that there is no substantial probability that the defendant will regain competency within 21 months, any party is permitted to request that the court hold a hearing to determine if the defendant is dangerous and should be involuntarily committed. The court is also authorized to order an assessment of the defendant's eligibility for private insurance or public benefits that may be applied to the expenses of the defendant's medically necessary maintenance and treatment. If an incompetent defendant is found to be not restorable to competency, the state is permitted to request a hearing to determine if the defendant is dangerous, which must be established by clear and convincing

evidence after examination by mental health experts, and should be involuntarily committed to a secure state mental health facility. The psychiatrist, psychologist or other competent professional of the Arizona State Hospital (ASH) or a licensed facility under the supervision of the ASH is required to annually examine each person who is involuntarily committed due to a determination that the defendant is dangerous. The person who conducts the annual examination is required to submit an examination report to the court, and the report is required to contain specified information, including whether the person remains dangerous. If the report indicates that the person is competent to stand trial or is no longer dangerous, the court is required to hold a hearing within 45 days after receiving the report to determine whether the person is competent or is no longer dangerous. If after a hearing the court finds that the person has been restored to competency, the court is required to order that the criminal proceedings resume. If the court finds that the person has not been restored to competency, the court is required to take specified actions depending on whether the court finds that the person is dangerous. If the Superintendent of ASH or the Director of the Department of Health Services determines that a person's mental illness, defect or disability has so changed that the person is no longer dangerous, the Superintendent or the Director is required to allow a person to petition the court for conditional release to a less restrictive alternative. If the court determines that conditional release to a less restrictive alternative is in the best interest of the person, will adequately protect the community, and meets a list of specified conditions, the court must enter judgment and order the person's conditional release, and the court may impose any conditions on the person that the court determines are necessary. Circumstances under which the court may deny the request for conditional release to a less restrictive alternative are specified. Establishes circumstances under which the court may revoke a conditional release. More. Effective January 1, 2017. AS PASSED SENATE.

First sponsor: Sen. Driggs

Others: Sen. Barto, Rep. Borrelli, Rep. Boyer, Sen. Bradley, Rep. Brophy McGee, Sen. Dalessandro, Rep. Fann, Sen. Farley, Rep. Friese, Rep. Mesnard

S1412:INCOMPETENT; NONRESTORABLE DEFENDANTS; INVOLUNTARY COMMITMENT 3/15 referred to House appro.

### **S1415: ADOPTION; ELIGIBILITY; CERTIFICATION EXCEPTIONS**

If a prospective adoptive parent is a licensed foster parent who is petitioning to adopt a child currently placed by the Department of Child Safety (DCS) in the foster parent's home and DCS recommends the adoption of the child by the foster parent, the requirement for a preadoption certification does not apply. Also, an adult nonresident of Arizona is eligible to adopt a dependent child who is under the jurisdiction of the juvenile court in Arizona if DCS placed the child in the applicant's home, the child currently resides with the applicant, and DCS recommends the adoption of the child by the applicant.

First sponsor: Sen. Barto

S1415:ADOPTION; ELIGIBILITY; CERTIFICATION EXCEPTIONS 2/10 Senate hel-hu ser held.

### **S1417: DISTRIBUTED ENERGY GENERATION SYSTEMS**

Various changes to statutes regulating solar energy devices. The definition of "solar energy device" is expanded to include a "distributed energy generation system" (defined). Any person who seeks to install, "energize" (defined) or interconnect a distributed energy generation system is required to first submit an application for interconnection to the power grid to the utility that owns or operates the power grid at the point of interconnection, and the person is prohibited from installing, energizing or interconnecting the distributed energy generation system until the

utility approves the application. If the utility does not approve or deny the application within 60 days of the filing date, the distributed energy generation system may be installed. Information that must be included in the application is specified. Recurring payments under a distributed energy generation system lease cannot begin until the system is energized and interconnected. If the warranty period for any major component of a distributed energy generation system is less than the duration of the financing or lease agreement, the length of the warranty must be disclosed to and separately acknowledged by the buyer or lessee. If a document or sales presentation relating to a distributed energy generation system states or suggests that the system will result in financial savings for a buyer or lessee, the document or presentation is required to substantiate the methodology used to calculate those savings and, if the document or presentation is intended for a specific potential buyer or lessee, must reasonably quantify the cumulative savings expected for the duration of the agreement. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Lesko

Others: Rep. J. Allen, Sen. S. Allen, Rep. Barton, Sen. Biggs, Sen. Bradley, Sen. Burges, Rep. Cardenas, Rep. Carter, Sen. Contreras, Sen. Dial, Sen. Donahue, Rep. Fernandez, Rep. Gowan, Sen. Griffin, Sen. Hobbs, Sen. Kavanagh, Rep. Larkin, Rep. Leach, Rep. Livingston, Sen. Meza, Sen. Miranda, Rep. Mitchell, Rep. Montenegro, Sen. Pancrazi, Rep. Plumlee, Rep. Pratt, Rep. Rios, Rep. Saldate, Sen. Shooter, Rep. Shope, Rep. Wheeler

S1417:DISTRIBUTED ENERGY GENERATION SYSTEMS 3/21 signed by governor. Chap. 56, Laws 2016.

#### **S1424: HOME-BASED BUSINESSES; LICENSING MORATORIUM; UNEMPLOYMENT**

If the statewide seasonally adjusted unemployment rate reaches at least 10 percent, an agency, department, board or commission of the state or a political subdivision is prohibited from requiring a "home-based business" to have a valid "license" (both defined). Once the statewide unemployment rate reaches less than 6 percent, an agency may resume requiring a home-based business to have a valid license as prescribed by law.

First sponsor: Sen. D. Farnsworth

Others: Rep. J. Allen, Sen. Barto, Rep. Kern, Rep. Shope, Rep. Townsend

S1424:HOME-BASED BUSINESSES; LICENSING MORATORIUM; UNEMPLOYMENT 2/23 from Senate rules okay.

#### **S1428: PSPRS MODIFICATIONS**

Various changes to statutes relating to the Public Safety Personnel Retirement System. Establishes a method for determining the employer and member contributions to PSPRS for members hired on or after July 1, 2017. Modifies the definition of "average monthly benefit compensation" for the purpose of determining PSPRS retirement benefit amounts and the definition of "normal retirement" and applies these changes only to members hired on or after July 1, 2017. For members who are hired on or after July 1, 2017, the annual compensation of each member taken into account for purposes of the system cannot exceed \$110,000, decreased from \$200,000. Beginning in FY2020-21 and every third FY after, the PSPRS Board is required to adjust the annual compensation limit by the average change in the public safety wage index as determined by a specified method. Establishes retirement multipliers based on years of credited service for members who become a PSPRS member on or after July 1, 2017. Repeals statutes providing for benefit increases, and establishes cost-of-living adjustments for members hired on or before June 30, 2017, and for members hired on or after July 1, 2017. Increases the number of members of the PSPRS Board to nine, from seven, and modifies requirements for Board members. Establishes a 10-member PSPRS Advisory Committee. The PSPRS Board is required to establish a Public Safety Personnel Defined Contribution Plan (DC Plan) to provide for the retirement of specified



participants beginning July 1, 2017. Establishes powers and duties of the Board for the DC Plan, and establishes member and employer contributions to the DC Plan. An employee who is hired on or after July 1, 2017 and who was not a member of the PSPRS on June 30, 2017 is eligible and may elect to participate in either the PSPRS or in the DC Plan, and the election made is irrevocable. The employee's participation in either system begins 90 days after the date the employee is hired. Also establishes a DC Plan disability program. More. Conditionally enacted on the state Constitution being amended as prescribed by Senate concurrent resolution 1019 by vote of the people at the special election on May 17, 2016. Severability clause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Lesko

Others: Rep. Ackerley, Rep. J. Allen, Sen. S. Allen, Rep. Alston, Rep. Andrade, Sen. Barto, Rep. Barton, Sen. Begay, Rep. Benally, Sen. Biggs, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Bradley, Rep. Brophy McGee, Sen. Burges, Sen. Cajero Bedford, Rep. Campbell, Rep. Cardenas, Rep. Carter, Rep. Clark, Rep. Cobb, Rep. Coleman, Sen. Contreras, Sen. Dalessandro, Sen. Dial, Sen. Donahue, Sen. Driggs, Rep. Espinoza, Rep. Fann, Sen. Farley, Sen. D. Farnsworth, Rep. Fernandez, Rep. Gonzales, Rep. Gray, Sen. Griffin, Rep. Hale, Sen. Hobbs, Sen. Kavanagh, Rep. Larkin, Rep. Lawrence, Rep. Leach, Rep. Lovas, Rep. McCune Davis, Sen. McGuire, Rep. Mesnard, Rep. Meyer, Sen. Meza, Sen. Miranda, Rep. Norgaard, Sen. Pancrazi, Sen. Pierce, Rep. Pratt, Sen. Quezada, Rep. Rios, Rep. Rivero, Rep. Saldate, Sen. Sherwood, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Velasquez, Rep. Weninger, Rep. Wheeler, Sen. Worsley, Sen. Yarbrough, Sen. Yee

S1428: PSPRS MODIFICATIONS 2/16 signed by governor. Chap. 2, Laws 2016.

#### **S1429: PUBLIC RETIREMENT SYSTEMS; SPECIAL ELECTION**

The purpose of the special election called by Laws 2015, first special session, chapter 2 is expanded to include proposed amendments to the state Constitution that are proposed by Senate concurrent resolution 1019 that provide for changes to public retirement systems. For the public retirement systems measure, the Legislative Council analysis and Joint Legislative Budget Committee fiscal impact statement summary, and any arguments for or against the measure must be submitted to the Secretary of State no later than February 23, 2016. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Lesko

Others: Rep. Ackerley, Rep. J. Allen, Sen. S. Allen, Rep. Alston, Sen. Barto, Sen. Begay, Rep. Benally, Sen. Biggs, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Bradley, Rep. Brophy McGee, Sen. Burges, Sen. Cajero Bedford, Rep. Campbell, Rep. Cardenas, Rep. Carter, Rep. Clark, Rep. Cobb, Rep. Coleman, Sen. Contreras, Sen. Dalessandro, Sen. Dial, Sen. Donahue, Sen. Driggs, Rep. Espinoza, Rep. Fann, Sen. Farley, Sen. D. Farnsworth, Rep. Fernandez, Rep. Gonzales, Rep. Gray, Sen. Griffin, Rep. Hale, Sen. Hobbs, Sen. Kavanagh, Rep. Larkin, Rep. Lawrence, Rep. Lovas, Rep. McCune Davis, Sen. McGuire, Rep. Mesnard, Rep. Meyer, Sen. Meza, Sen. Miranda, Rep. Norgaard, Sen. Pancrazi, Sen. Pierce, Rep. Pratt, Sen. Quezada, Rep. Rios, Rep. Rivero, Rep. Saldate, Sen. Sherwood, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Velasquez, Rep. Weninger, Rep. Wheeler, Sen. Worsley, Sen. Yarbrough, Sen. Yee

S1429:PUBLIC RETIREMENT SYSTEMS; SPECIAL ELECTION 2/16 signed by governor. Chap. 3, Laws 2016.

#### **S1436: EMPLOYMENT & LABOR OMNIBUS**

Various changes related to employment regulations. Employers are no longer permitted to pay employees who customarily and regularly receive tips a wage up to \$3 per hour less than the minimum wage if specified conditions are met. Employees accrue a minimum of one hour of earned sick time for every 30 hours worked. Situations where an employee may use earned sick time are specified, as well as provisions governing accrual, carry over, and transfer of earned sick time. The Industrial Commission is required to implement and enforce earned sick time regulations. Employers are prohibited from requiring nondisclosure by an employee of the employee's wage information as a condition of employment and from taking

adverse employment action against an employee for disclosing the employee's wages. Employees are authorized to request a change in the terms and conditions of employment related to a list of specified factors, and the employer is required to engage in a timely, good-faith interactive process with the employee to discuss potential changes to meet the employee's needs. Establishes requirements for pay and schedule notice for retail, food service or cleaning employees. The Industrial Commission is required to issue an equal pay certificate to a business that meets specified qualifications, including that the average compensation for female employees is no consistently below the average compensation for male employees within each job category. Beginning January 1, 2017, a business that has at least 40 full-time employees in Arizona or in the state where the business's primary place of business is located is required to have an equal pay certificate or a waiver in order to be eligible to contract with any purchasing agency in Arizona for a procurement of more than \$500,000. Due to voter protection, the minimum wage provisions of this bill require the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Sen. Hobbs

Others: Sen. Bradley, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Sen. McGuire, Sen. Quezada, Sen. Sherwood

S1436:EMPLOYMENT & LABOR OMNIBUS 2/1 referred to Senate com-work dev.

#### **S1449: UNMANNED AIRCRAFT; PROHIBITED OPERATIONS**

It is a class 1 (highest) misdemeanor for a person to operate a "model aircraft" or a "civil unmanned aircraft" (both defined) if the operation is prohibited by a federal law or regulation that governs aeronautics and interferes with a law enforcement or emergency services operation. It is a class 6 (lowest) felony for a person to operate or use an "unmanned aircraft" or "unmanned aircraft system" (both defined) to intentionally photograph or loiter over or near a "critical facility" (defined) in the furtherance of any criminal offense, except that a second or subsequent violation is a class 5 (second-lowest) felony. Some exceptions. Municipalities and counties are prohibited from enacting or adopting any ordinance or rule that relates to the ownership or operation of an unmanned aircraft or unmanned aircraft system, except as authorized by law. The Department of Transportation is required to provide on the Dept website information on resources for operating a model aircraft, including safety guidelines established by a nationwide aeronautics community-based organization, and to provide on the Dept website pictures that show examples of critical facilities to provide unmanned aircraft operators with information on what is considered a critical facility. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Kavanagh

S1449:UNMANNED AIRCRAFT; PROHIBITED OPERATIONS 5/11 signed by governor. Chap. 170, Laws 2016.

#### **S1474: HUMAN FETUS; EMBRYO; PROHIBITED ACTIONS**

A person is prohibited from using a human fetus or embryo or any part, organ or fluid of the fetus or embryo resulting from an abortion in animal or human research, "experimentation" (defined) or study or for transplantation, except for specified circumstances. A person is prohibited from performing or offering to perform an abortion for which part or all of the justification or reason is that the human fetus or embryo may be used for those purposes. A person is prohibited from knowingly selling, transferring, distributing, using or attempting to use any human fetus or embryo in violation of these requirements. A violation of these prohibitions is added to the list of actions that constitute unprofessional conduct for licensees of the Arizona Medical Board and the Board of Osteopathic Examiners in Medicine and

Surgery, and is added to the list of reasons the Department of Health Services is authorized to suspend or revoke, in whole or in part, the license of any health care institution. The physician-patient privilege does not prevent the production of documents or records relevant to an investigation of a violation. Does not establish or recognize a right to an abortion and does not make lawful an abortion that is currently prohibited by law. Severability clause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Barto

Others: Rep. J. Allen, Sen. S. Allen, Rep. Barton, Sen. Begay, Sen. Biggs, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Burges, Rep. Coleman, Sen. Donahue, Rep. Fann, Sen. D. Farnsworth, Rep. E. Farnsworth, Rep. Finchem, Rep. Gowan, Rep. Gray, Sen. Griffin, Sen. Kavanagh, Rep. Kern, Rep. Lawrence, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Lovas, Rep. Mesnard, Sen. Miranda, Rep. Mitchell, Rep. Montenegro, Rep. Norgaard, Rep. Olson, Rep. Petersen, Rep. Rivero, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Weninger, Sen. Yarbrough, Sen. Yee

S1474:HUMAN FETUS; EMBRYO; PROHIBITED ACTIONS 3/30 signed by governor. Chap. 77, Laws 2016.

### **S1481: THEFT; BICYCLE FROM SCHOOL GROUNDS**

The list of stolen property valued at less than \$1,000 that causes theft to be classified as a class 6 (lowest) felony instead of a class 1 (highest) misdemeanor is expanded to include a bicycle taken from school grounds.

First sponsor: Sen. Sherwood

Others: Rep. Andrade, Rep. Cardenas

S1481:THEFT; BICYCLE FROM SCHOOL GROUNDS 5/7 referred to Senate rules.

### **S1482: ABORTION; WAITING PERIOD; EXCEPTIONS; RAPE**

Cases of rape or incest are exempt from the requirement for informed consent to be obtained at least 24 hours before an abortion and from the requirement for a physician to perform a fetal ultrasound on the woman at least 24 hours before an abortion.

First sponsor: Sen. Sherwood

Others: Rep. Andrade, Sen. Quezada

S1482:ABORTION; WAITING PERIOD; EXCEPTIONS; RAPE 2/2 referred to Senate hel-hu ser.

### **S1483: ABORTION; WAITING PERIOD; INFORMED CONSENT**

Eliminates the waiting period of 24 hours after informed consent is obtained and a fetal ultrasound is performed for a woman to obtain an abortion. Cases of rape or incest are exempt from the requirement for informed consent to be obtained and from the requirement for a physician to perform a fetal ultrasound on the woman before an abortion.

First sponsor: Sen. Sherwood

Others: Rep. Andrade, Sen. Quezada

S1483:ABORTION; WAITING PERIOD; INFORMED CONSENT 2/2 referred to Senate hel-hu ser.

### **S1490: TRANSPORTATION FUNDING; TASK FORCE**

Establishes a 9-member Surface Transportation Funding Task Force to review transportation needs and revenue sources in Arizona and recommend specific revenue proposals for dedicated funding sources for specified transportation-related items. The Task Force is required to cooperate with the Department of

Administration to conduct a statewide study that identify vacant or underused buildings owned by the state that could be sold to provide funding for transportation projects. The Task Force is required to issue progress reports every three months to the Governor and the Legislature and to submit a final report of its findings and recommendations to the Governor and the Legislature by December 31, 2016. Self-repeals July 1, 2017. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Worsley

Others: Rep. Ackerley, Rep. J. Allen, Rep. Barton, Sen. Begay, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Rep. Brophy McGee, Sen. Burges, Rep. Campbell, Rep. Coleman, Sen. Dalessandro, Sen. Dial, Sen. Driggs, Rep. Fann, Sen. Farley, Sen. D. Farnsworth, Rep. Gray, Sen. Griffin, Rep. Lawrence, Sen. McGuire, Sen. Meza, Sen. Miranda, Sen. Pierce, Sen. Sherwood, Sen. Shooter

S1490:TRANSPORTATION FUNDING; TASK FORCE 5/12 signed by governor. Chap. 228, Laws 2016.

### **S1493: STATE HIGHWAY CONSTRUCTION; TAX CREDITS**

Establishes an individual and corporate income tax credit for taxpayers who participate in financing the construction, reconstruction or renovation of eligible transportation facilities. The Department of Transportation is required to administer the credit and use the sale of the credits to finance the construction, reconstruction or renovation of eligible transportation facilities in Arizona. The tax credits may be awarded through a bidding process. The annual amount of tax credits that may be awarded each year is prescribed by the Legislature as part of the annual state budget. All or part of any unclaimed amount of a credit may be sold or otherwise transferred under specified conditions. If the allowable credit exceeds taxes due, the unused amount may be carried forward for up to five consecutive tax years.

First sponsor: Sen. Worsley

Others: Rep. Gray

S1493:STATE HIGHWAY CONSTRUCTION; TAX CREDITS 2/17from Senate trans with amend #4296.

### **S1496: HOMEOWNERS' ASSOCIATIONS; DIRECTOR REMOVAL**

On removal of a majority of the members of a condo or HOA board of directors, the HOA is required to hold an election for the replacement of the removed directors at a separate meeting of the members, which must be held no later than 30 days after the day of the meeting at which the directors were removed. A director who is removed is ineligible to serve on the board again until after the expiration of the director's term, unless the HOA documents specifically provide for a longer period of time. AS SIGNED BY GOVERNOR.

First sponsor: Sen. D. Farnsworth

Others: Sen. Begay, Sen. Bradley, Sen. Kavanagh

S1496:HOMEOWNERS' ASSOCIATIONS; DIRECTOR REMOVAL 5/18 signed by governor. Chap. no. awaited.

### **S1497: HOMEOWNERS' ASSOCIATION; BOARD CONFLICTS**

Expands the list of reasons a condo or HOA board member is required to declare a conflict of interest to include any contract, decision or other action for compensation taken by the board that would benefit any employer or employee of that member. For all circumstances where a condo or HOA board member declares a conflict of interest, the board member is prohibited from playing a part directly or indirectly in the board's deliberations or vote on that issue, instead of being permitted to vote after the declaration.

First sponsor: Sen. D. Farnsworth

Others: Sen. Begay, Sen. Bradley, Sen. Dial, Sen. Donahue, Sen. Kavanagh, Rep. Lawrence, Rep.

Montenegro

S1497:HOMEOWNERS' ASSOCIATION; BOARD CONFLICTS 2/29 retained on Senate COW calendar.

#### **S1498: HOMEOWNERS' ASSOCIATION; FEES; HEARINGS; ELECTIONS**

Condo and homeowners' associations (HOAs) are only authorized to impose charges for late payment of assessment after the HOA has provided notice that the assessment is overdue or is considered overdue after a certain date. The HOA is required to give the unit owner or homeowner written notice of the person's option to petition for an administrative hearing on an enforcement action in the Department of Fire, Building and Life Safety. If an HOA provides for absentee ballots or ballots provided by some other form of delivery, the completed ballot and envelope and any related materials must contain the name, address and signature of the person voting, unless the HOA documents permit secret ballots, in which case only the envelope must contain that information. The ballots, envelopes and related materials must be retained and made available for unit owner or member inspection for at least one year after completion of the election. AS SIGNED BY GOVERNOR.

First sponsor: Sen. D. Farnsworth

Others: Sen. Begay, Sen. Bradley

S1498:HOMEOWNERS' ASSOCIATION; FEES; HEARINGS; ELECTIONS 5/11 signed by governor. Chap. 172, Laws 2016.

#### **S1499: HOMEOWNERS' ASSOCIATIONS; MANAGER; LICENSURE; HEARINGS**

Any person engaged in the business of management of a condo association or HOA is required to obtain a license as a community manager. The Real Estate Department is required to establish by rule a licensure procedure for community managers that must include specified instruction and a licensure test. The Dept is authorized to charge a fee for licensure and for test administration. Establishes a process for petitioning the Depr for a hearing concerning violations of statutes or community documents, and removes a similar process from the responsibilities of the Department of Fire, Building and Life Safety.

First sponsor: Sen. D. Farnsworth

Others: Sen. Donahue, Rep. Lawrence

S1499:HOMEOWNERS' ASSOCIATIONS; MANAGER; LICENSURE; HEARINGS 2/2 referred to Senate gov, appro.

#### **S1504: DROP BOX; PRIVATE PROPERTY; CONSENT**

Any person that places a "drop box" (defined) on private property is required to obtain notarized approval signed by the property owner or an authorized agent before placing the drop box on the property. All drop boxes are required to display, in a clear and conspicuous manner, the name of the person that owns the drop box and the person's contact information. The private property owner or the owner's agent may rescind permission for the placement of a drop box at any time, and the drop box owner is required to remove the drop box within 10 business days after receipt of a notification of the decision to rescind permission. Any drop box placed on private property without notarized consent may be removed and disposed of at any time without notification. A private property owner or the owner's agent who removes a drop box is not liable for the losses associated with the removal of a drop box and its contents. Some exceptions. Contains a legislative findings section. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Kavanagh

Others: Rep. Alston, Sen. Burges, Sen. Contreras, Sen. Farley, Sen. Hobbs, Rep. Kern, Rep. Mesnard, Sen. Meza, Rep. Mitchell, Sen. Quezada, Sen. Sherwood, Rep. Thorpe, Rep. Weninger

S1504:DROP BOX; PRIVATE PROPERTY; CONSENT 3/24 signed by governor. Chap. 59, Laws 2016.

### **S1515: AMUSEMENT GAMBLING; DEFINITION; MONEY**

The definition of "amusement gambling" is modified to include a requirement that the prizes are not offered as a lure to separate the player or players from any other thing of value, in addition to from their money.

First sponsor: Sen. Driggs

S1515:AMUSEMENT GAMBLING; DEFINITION; MONEY 2/22 from Senate jud with amend [#4410](#).

### **S1519: EARLY BALLOTS; COLLECTION; RECEIPT**

A person who collects a voted early ballot from another person is required to provide the voter with a receipt for the early ballot which includes the collector's name and address. Does not apply to an election official, any person allowed by law to transmit U.S. mail, a candidate who collects fewer than 10 voted early ballots, a candidate for statewide office or the Legislature, a person who is related to the voter, or a person who resides at the same residence as the voter. AS PASSED SENATE.

First sponsor: Sen. Dial

S1519:EARLY BALLOTS; COLLECTION; RECEIPT 5/6 House COW approved with amend [#5013](#) and floor amend [#5304](#). (NOTE: Floor amend [#5304](#) was split. Lines 1-15 were adopted; lines 16-21 failed.)

### **S1520: PHOTO ENFORCEMENT; VOTER APPROVAL (~~TECH CORRECTION; CHIROPRACTIC~~)**

A municipality's use of a photo enforcement system is required to be approved by the voters at a general election. If a municipality uses a photo enforcement system and the use is not approved at the next general election, the municipality is prohibited from continuing to use the photo enforcement system. A traffic complaint for a violation that is detected by a photo enforcement system may be served only on the driver in the photograph that is taken by the system and that resulted in the complaint. If a photo enforcement company or a municipality mails a notice of violation to a person at an address, a second or subsequent notice of violation cannot be mailed to that address for that person or another person if the second or subsequent notice of violation results from the same series of events that resulted in the violation that generated the first notice of violation. Effective January 1, 2017. AS PASSED SENATE.

First sponsor: Sen. Smith

S1520:PHOTO ENFORCEMENT; VOTER APPROVAL 3/1 Senate voted to reconsider 2/29 failure to pass bill. Date of second vote to be set by president.

### **S1523: TRUTH IN TAXATION; LEVY INCREASES**

If a proposed primary property tax levy, exclusive of increased property taxes received from new construction, constitutes an increase over the preceding tax year's levy by 15 percent or more, the motion to levy the increased property taxes must be approved by a unanimous roll call vote of the school district governing

board or local governing body. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Smith

Others: Rep. Finchem, Rep. Leach

S1523:TRUTH IN TAXATION; LEVY INCREASES 5/11 signed by governor. Chap. 173, Laws 2016.

#### **S1524: REGULATORY ACTIONS; LIMITATION**

Unless authorized by federal, state or local law, state agencies, counties and municipalities are prohibited from taking any action that materially increases the regulatory burdens on a business unless there is a threat to the health, safety and welfare of the public that has not been addressed by legislation or industry regulation within the proposed regulated field, and from applying a regulation to a "qualified marketplace platform" (defined) if the purpose of that regulation is to regulate a business that provides goods or services directly to the customer. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Smith

Others: Sen. S. Allen, Sen. Biggs, Rep. Borrelli, Sen. Burges, Rep. Fann, Sen. D. Farnsworth, Rep. Finchem, Sen. Griffin, Sen. Kavanagh, Rep. Lawrence, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Lovas, Rep. Petersen, Sen. Shooter, Sen. Yee

S1524:REGULATORY ACTIONS; LIMITATION 5/12 signed by governor. Chap. 209, Laws 2016.

#### **S1525: JTED RESTORATION & REFORMS**

Retroactive to July 1, 2016, eliminates the reduction in base support level funding that a school district, charter school or JTED receives for students enrolled in both a school district or charter school and a joint technical education district (JTED) satellite campus program to 92.5 percent of the base support level funding that the school district, charter school or JTED would otherwise receive. The reduction would have become effective in FY2016-17. Students who are enrolled in any internship course as part of a JTED program and, beginning July 1, 2016, students who have graduated from high school or received a general equivalency diploma are prohibited from being included in the student count of a JTED for funding purposes. A student who has yet to graduate or receive a general equivalency diploma and was lawfully enrolled in a JTED program on January 1, 2016 may continue to participate in the program after the effective date of this legislation. The requirements for JTED courses are expanded to include that the course requires a majority of instructional time to be conducted in a laboratory environment, field-based environment, or work-based learning environment, has demonstrated a need for extra funding in order to provide the course, requires specialized equipment in order to provide instruction to students that exceeds the cost of a standard educational course, and is not a course or any variation of a course that is required to graduate from high school. The requirements for JTED programs are expanded to include that the program fills a high-need vocational or industry need as determined by the Career and Technical Division of the Department of Education, requires a single or stackable credential or a skill that will allow a student to obtain work on graduation before receiving an associate's degree or a baccalaureate degree, leads to certification or licensure in the vocation or industry or otherwise qualifies the student for employment, requires instruction and materials that are substantially different from and exceed the scope of standard instruction, an industry or vocation has agreed to provide financial or technical support to the JTED for the program, and the JTED has demonstrated a need for extra funding in order to provide the program. Beginning July 1, 2016, the required contract terms for any agreement between a JTED governing board and another JTED, a school district, charter school or community college district are expanded. The Department of Education is

required to include each JTED in the Dept's annual achievement profiles, using specified performance standards. The Dept is required to submit a JTED annual report to the Governor and the Legislature containing a list of specified information. Establishes a 13-member Career and Technical Education Task Force to study and analyze specified issues relating to JTEDs and career and technical education, requires the Task Force to submit an annual report of its findings and recommendations to the Governor and the Legislature by December 15, and self-repeals the Task Force on January 1, 2019. Requires the Auditor General to conduct a special audit of JTEDs that includes a list of specified information. Contains a House of Representatives findings and intent section. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Shooter

Others: Sen. Biggs

S1525:JTED RESTORATION & REFORMS 2/17 signed by governor. Chap. 4, Laws 2016.

### SCR1017: IRC; MEMBERSHIP

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to increase the number of members of the Independent Redistricting Commission to eight, from five, no more than three of whom may be members of the same political party. Two members cannot be registered with any political party already represented on the Commission. Four commissioners must reside in the most populous county (Maricopa), two must reside in the second most populous county (Pima), and two must reside in any of the remaining counties. If the Commission does not establish final district boundaries by the beginning of the next regular legislative session in a year that ends in two, the Commission is terminated and the Legislature is required to enact final district boundaries. Without regard to whether the Commission adopts boundaries, the Legislature is permitted to refer to a vote of the people an alternate redistricting plan or plans that, if adopted by a vote of the people, constitute the final district boundaries.

First sponsor: Sen. Dial

SCR1017: IRC; MEMBERSHIP 3/3 referred to House elect.

### SCR1019: PUBLIC RETIREMENT SYSTEM BENEFITS

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to provide that the Constitutional provision prohibiting public retirement system benefits from being diminished or impaired does not prohibit certain adjustments to the Public Safety Retirement System as provided in Senate Bill 1428, and does not restrict the Legislature's ability to modify public retirement system benefits for prospective members of public retirement systems. AS SENT TO SECRETARY OF STATE.

First sponsor: Sen. Lesko

Others: Rep. Ackerley, Rep. J. Allen, Sen. S. Allen, Rep. Alston, Rep. Andrade, Sen. Barto, Sen.

Begay, Rep. Benally, Sen. Biggs, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Bradley, Rep. Brophy McGee, Sen. Burges, Sen. Cajero Bedford, Rep. Campbell, Rep. Cardenas, Rep. Carter, Rep. Clark, Rep. Cobb, Rep. Coleman, Sen. Contreras, Sen. Dalesandro, Sen. Dial, Sen. Donahue, Sen. Driggs, Rep. Espinoza, Rep. Fann, Sen. Farley, Sen. D. Farnsworth, Rep. Fernandez, Rep. Gonzales, Rep. Gray, Sen. Griffin, Rep. Hale, Sen. Hobbs, Sen. Kavanagh, Rep. Larkin, Rep. Lawrence, Rep. Leach, Rep. Lovas, Rep. Mach, Rep. McCune Davis, Sen. McGuire, Rep. Mesnard, Rep. Meyer, Sen. Meza, Sen. Miranda, Rep. Norgaard, Sen. Pancrazi, Sen. Pierce, Rep. Pratt, Sen. Quezada, Rep. Rios, Rep. Rivero, Rep. Saldate, Sen. Sherwood, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Velasquez, Rep. Weninger, Rep. Wheeler, Sen. Worsley, Sen. Yarbrough, Sen. Yee

SCR1019:PUBLIC RETIREMENT SYSTEM BENEFITS 2/15 Senate concurred on House amendments and passed on final



reading 28-0; to secretary of state.